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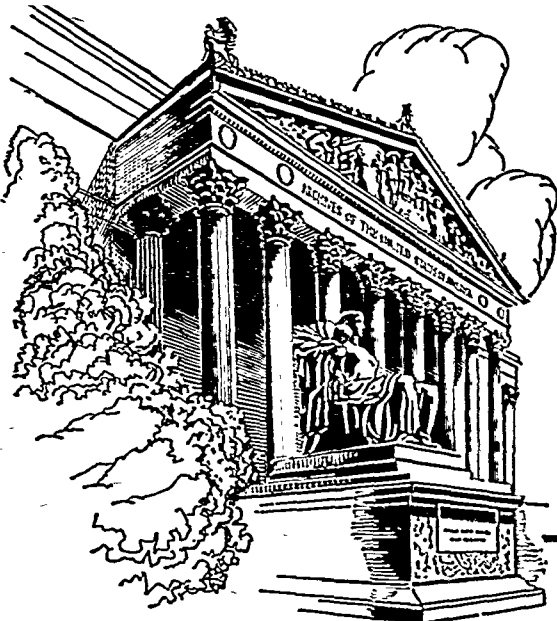
Saturday, October 7, 1967 • Washington, D.C.

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Agencies in this issue—

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Civil Aeronautics Board
Coast Guard
Commodity Credit Corporation
Comptroller of the Currency
Consumer and Marketing Service
Customs Bureau
Economic Opportunity Office
Emergency Planning Office
Federal Aviation Administration
Federal Communications Commission
Federal Deposit Insurance Corporation
Federal Home Loan Bank Board
Federal Maritime Commission
Federal Power Commission
Federal Reserve System
Fish and Wildlife Service
Interior Department
Interstate Commerce Commission
Land Management Bureau
National Park Service
Securities and Exchange Commission

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List of CFR Parts Affected

(Codification Guide)

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date, appears at the end of each issue beginning with the second issue of the month.

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1967, and specifies how they are affected.

7 CFR	14 CFR	45 CFR
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Title 7—AGRICULTURE

Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture

[Valencia Orange Reg. 223]

PART 908—VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

§ 908.523 Valencia Orange Regulation 223.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 908, as amended (7 CFR Part 908), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Valencia Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Valencia oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the

aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on October 5, 1967.

(b) *Order.* (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period October 8, 1967, through October 14, 1967, are hereby fixed as follows:

- (i) District 1: 95,000 cartons;
- (ii) District 2: 405,000 cartons;
- (iii) District 3: Unlimited movement.

(2) As used in this section, "handled," "handler," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in said amended marketing agreement and order.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: October 6, 1967.

F. L. SOUTHERLAND,
Acting Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 67-11851; Filed, Oct. 6, 1967; 11:14 a.m.]

[Lemon Reg. 283]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

§ 910.588 Lemon Regulation 288.

(a) *Findings.* (1) Pursuant to the marketing agreement as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this

section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on October 3, 1967.

(b) *Order.* (1) The respective quantities of lemons grown in California and Arizona which may be handled during the period October 8, 1967, through October 14, 1967, are hereby fixed as follows:

- (i) District 1: Unlimited movement;
- (ii) District 2: 93,000 cartons;
- (iii) District 3: 90,994 cartons.

(2) As used in this section, "handled," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in the said amended marketing agreement and order.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: October 5, 1967.

FLOYD F. HEDLUND,
Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 67-11623; Filed, Oct. 6, 1967; 8:49 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[CCC Grain Price Support Regs., 1967-Crop Grain Sorghum Supp., Amdt. 1]

PART 1421—GRAINS AND SIMILARLY HANDLED COMMODITIES

Subpart—1967 Crop Grain Sorghum Loan and Purchase Program

SUPPORT RATES AND DISCOUNTS

The regulations issued by the Commodity Credit Corporation published in 32 F.R. 9824 and 11848 containing provisions for price support loans and purchases applicable to the 1967 crop of grain sorghum are amended as follows:

In § 1421.2585, paragraph (b) is amended to add a support rate for counties in Hawaii and to increase the support rates for certain counties in Oklahoma and Texas as follows:

§ 1421.2585 Support rates and discounts.

(b) Basic support rate (counties).

HAWAII		
County	Rate per hundred-weight	
All counties.....	\$2.83	
OKLAHOMA		
County	Rate per hundredweight	
	From	To
Ellis.....	\$1.52	\$1.54
Harper.....	1.51	1.53
Roger Mills.....	1.54	1.56
Texas.....	1.53	1.54
TEXAS		
Dallam.....	1.56	1.58
Gonzales.....	1.80	1.81
Hansford.....	1.55	1.58
Hartley.....	1.55	1.58
Hemphill.....	1.55	1.58
Hutchinson.....	1.55	1.58
Lipscomb.....	1.55	1.58
Moore.....	1.55	1.58
Ochiltree.....	1.55	1.58
Roberts.....	1.56	1.58
Sherman.....	1.55	1.58

(Sec. 4, 62 Stat. 1070 as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 105, 401, 63 Stat. 1051 as amended; 15 U.S.C. 714c, 7 U.S.C. 1421, 1441)

Effective date: Upon filing with the Office of the Federal Register.

Signed at Washington, D.C., on October 3, 1967.

H. D. GODFREY,
Executive Vice President,
Commodity Credit Corporation.

[F.R. Doc. 67-11861; Filed, Oct. 6, 1967; 8:45 a.m.]

[CCC Grain Price Support Reg.; 1966 and Subsequent Crops Grain Sorghum Supp., Amdt. 3]

PART 1421—GRAINS AND SIMILARLY HANDLED COMMODITIES

Subpart—1966 and Subsequent Crops Grain Sorghum Loan and Purchase Program

SUPPORT RATES

The regulations issued by the Commodity Credit Corporation published in 31 F.R. 8000 and 32 F.R. 8124 and 9302 containing provisions for price support loans and purchases applicable to the 1966 and subsequent crops of grain sorghum are amended as follows:

In § 1421.2571, paragraph (b) is amended to provide that in the case of grain sorghum shipped from points in Texas and the counties of Curry and Lea, N. Mex., and stored in line of transit to a gulf terminal market and a west coast terminal market, the support rate for the terminal market which will result in the producer receiving the higher support value shall be used. The amended paragraph reads as follows:

§ 1421.2571 Support rates.

(b) Support rates for grain sorghum in approved warehouse storage at other than designated terminal markets. In determining the support rate for grain sorghum which is shipped by rail or water and which is stored in approved warehouses (other than those situated in the designated terminal markets) there shall be deducted from the basic support rate for the appropriate designated terminal market, as determined by CCC, an amount equal to the transit balance, if any, of the through-freight rate from the point of origin for such grain sorghum to such terminal market: *Provided*, That in the case of 1967 and subsequent crops of grain sorghum shipped from points in Texas and the counties of Curry and Lea, N. Mex., and stored in line of transit to gulf terminal markets, there shall be deducted from the basic support rate for the appropriate designated terminal market, as determined by CCC, an amount equal to the transit balance, if any, of the through gulf export freight rate from the point of origin for such grain sorghum to such terminal market, except that if such storage point is in line of transit to both a gulf and a west coast terminal market and the west coast terminal market support rate less the transit balance at the domestic interstate freight rate would result in a higher support rate, such rate shall be used: *Provided further*, That in the case of grain sorghum shipped at other than the domestic interstate freight rate, the basic support rate shall be further reduced by the amount by which the freight rate paid is less than the amount of the domestic interstate freight rate (the through gulf export freight rate in the case of grain sorghum for which

gulf ports are appropriate terminal markets under the preceding proviso) from the point of origin of such grain sorghum to the point of destination or appropriate terminal market: *And provided further*, That in the case of grain sorghum stored at any railroad transit point, taking a penalty by reason of out-of-line movement to the appropriate designated market, or for any other reason, there shall be added to such transit balance an amount equal to any out-of-line costs or other cost incurred in storing grain sorghum in such position.

(Sec. 4, 62 Stat. 1070 as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 105, 401, 63 Stat. 1051 as amended; 15 U.S.C. 714c, 7 U.S.C. 1421, 1441)

Effective date: Upon filing with the Office of the Federal Register.

Signed at Washington, D.C., on October 3, 1967.

H. D. GODFREY,
Executive Vice President,
Commodity Credit Corporation.

[F.R. Doc. 67-11877; Filed, Oct. 6, 1967; 8:48 a.m.]

Title 12—BANKS AND BANKING

Chapter I—Bureau of the Comptroller of the Currency, Department of the Treasury

PART 11—SOLICITATION OF PROXIES

Information To Be Furnished Stockholders

On October 25, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 207) permitting interested persons 30 days to comment on the provisions contained therein. In such notice, the Comptroller of the Currency proposed certain revisions to Part 11 of the regulations relating to the inclusion of shareholder proposals in management proxy materials.

More than 30 days have elapsed since the publication of the notice and this office has reviewed and considered in detail all comments received and has incorporated a number of changes in such regulations as a result of such review. Accordingly, the amendments set forth below are hereby adopted in final form.

Chapter I, Title 12, of the Code of Federal Regulations is amended by the revision of § 11.3 as follows:

§ 11.3 Information to be furnished stockholders.

(a) No solicitation subject to this part shall be made by or on behalf of a national bank unless each person solicited is concurrently furnished or has previously been furnished with a written proxy statement containing the applicable information specified in Schedules A and B.

(b) The form of proxy shall afford the person solicited an opportunity to specify his choice between approval or disapproval of each matter or group of related matters referred to therein as intended to be acted upon. The proxy may provide that if the signer does not indicate a choice, the proxy confers authority to vote the shares represented thereby in favor of, or against, matters set forth therein.

(c) A proxy may confer discretionary authority with respect to matters which may come before the meeting other than those matters listed in the notice of meeting and proxy statement: *Provided*, That, except in the case of a proposal omitted from the proxy statement, notice of meeting and form of proxy pursuant to paragraph (d) of this section, the persons on whose behalf the solicitation is made are not aware a reasonable time prior to the time the solicitation is made, that any such other matters are to be presented for action at the meeting: *And provided further*, That a specific statement to that effect shall be made in the proxy statement or in the form of proxy.

(d) If any stockholder entitled to vote at a meeting shall submit to the management of the bank at least 60 days in advance of a day corresponding to the first date on which management's proxy statement was released to stockholders in connection with the last annual meeting of stockholders, a proposal which is accompanied by notice of intention to present the proposal for action at the meeting, the management shall set forth the proposal in its proxy statement and shall identify the proposal in its form of proxy and provide means by which stockholders can specify a choice between approval or disapproval as provided for in paragraph (b) of this § 11.3. This paragraph (d) shall not apply, however, to elections to office. A proposal to be presented at any meeting other than the annual meeting shall be submitted to the management of the bank a reasonable time before the solicitation is made. If the management opposes the proposal it shall also at the written request of the proponent include in its proxy statement the name and address of the proponent and a statement of the stockholder in not more than 100 words in support of the proposal: *Provided*, That such supporting statement shall not include the proponent's name and address, and provided further that the proxy statement may omit such name and address if it contains a statement that they will be furnished to any stockholder upon request. The statement and request of the stockholder shall be furnished to the management at the same time the proposal is furnished. Neither the management nor the bank shall be responsible for such statement. Notwithstanding the foregoing, the management may omit a proposal and any statement in support thereof from its proxy statement, notice of meeting, and form of proxy under any of the following circumstances:

(1) If the management has at the stockholder's request included a proposal in the proxy statement and form of proxy relating to either of the last two annual meetings of stockholders or any special meeting held subsequent to the earlier of such two annual meetings and such stockholder has failed without good cause to present the proposal, in person or by proxy, for action at the meeting; or

(2) If the proposal is not a proper subject for action by stockholders, or is otherwise legally inappropriate, or unworkable, or appears to be primarily for the purpose of enforcing a personal claim, redressing a personal grievance, or promoting general economic, political, racial, religious, social, or similar causes; or

(3) If the proposal or the supporting statement is false, misleading, or slanderous in any material respect; or

(4) If the same proposal or a proposal substantially similar in whole or material part has previously been submitted in a management proxy statement and form of proxy relating to any annual or special meeting of stockholders held within the preceding five calendar years, it may be omitted from the management's proxy material relating to any meeting of stockholders held within 3 calendar years after the latest such previous submission: *Provided*, That—(i) if the proposal was submitted at only one meeting during such preceding period it received less than 5 percent of the total number of votes cast with respect thereto, or (ii) if the proposal was submitted at any two meetings during such preceding period it received at the time of its second submission less than 10 percent of the total number of votes cast with respect thereto, or (iii) if the proposal was submitted at three or more meetings during such preceding period, it received at the time of its latest submission less than 20 percent of the total number of votes cast with respect thereto; or

(5) If such proposal consists of a recommendation or request that the management of the bank take action with respect to a matter relating to the conduct of the ordinary business operations of the bank; or

(6) If, prior to the receipt of such proposal, the same proposal, or a proposal substantially similar in whole or material part, has been received by the management from another security holder and is to be included in the bank's proxy soliciting material.

Whenever the management asserts that a proposal and any statement in support thereof may properly be omitted from its proxy statement and form of proxy, it shall file with the Comptroller, not later than 20 days prior to the date the preliminary copies of the proxy statement and form of proxy are filed pursuant to § 11.4(a), or such shorter period prior to such date as the Comptroller may permit, a copy of the proposal and any statement in support thereof as received from the stockholder, together with a statement of the reasons why the management deems such omission to be proper in the particular case, and where

such reasons are based on matters of law, a supporting opinion of counsel. The management shall at the same time, if it has not already done so, notify the stockholder submitting the proposal of its intention to omit the proposal from its proxy statement and form of proxy and shall forward to him a copy of the statement of the reasons why the management deems the omission of the proposal to be proper and a copy of such supporting opinion of counsel.

(e) No proxy shall confer authority (1) to vote for the election to any position for which a proposed nominee is not named in the proxy statement, or (2) to vote at any meeting other than the next meeting (or any adjournment thereof) to be held after the date on which the proxy statement and form of proxy are first sent or given to stockholders.

(f) Any person or group of persons, including directors or attorneys for the bank, may be designated to act as proxy, but not officers, clerks, tellers, or bookkeepers of the bank.

Dated: October 2, 1967.

[SEAL] WILLIAM B. CAMP,
Comptroller of the Currency.

[P.R. Doc. 67-11767; Filed, Oct. 6, 1967;
8:45 a.m.]

Chapter III—Federal Deposit Insurance Corporation

PART 336—EMPLOYEE RESPONSIBILITIES AND CONDUCT

Miscellaneous Amendments

Part 336 is amended as follows:

Section 336.735-11(c) is deleted and the provisions thereof transferred to § 336.735-10; § 336.735-11(d) is amended to indicate the circumstances under which a gift to an official superior may be allowed; the heading of § 336.735-12 is amended for clarity and paragraph (f) (1) of that section is deleted and the provisions thereof transferred to § 336.735-11(f) and amended to show that the exception does not allow non-Corporation reimbursement for travel on official business under Corporation orders; § 336.735-11 (d) and (e) and 336.735-19 are amended to correct statutory references made obsolete by the codification of Title 5, United States Code; paragraph (r) is added to § 336.735-19 to include reference to 18 U.S.C. 219; §§ 336.735-13(a) (1), 336.735-31, and 336.735-32 are amended, and § 336.735-31a is added, to restrict the requirements relative to reporting employment and financial interests to those employees in positions in which the possibility of conflicts-of-interest involvement is clear and to evidence the availability of the Corporation's grievance procedure for settling questions concerning the applicability of the reporting requirement. Section 336.735-34 is amended to eliminate quarterly supplementary statements; § 336.735-38 is amended to insure the confidentiality of statements submitted; and § 336.735-40(a) (2) is amended to clarify the Corporation's discretionary authority relative to which financial interests are to be

reported by a special Corporation employee. These amendments were approved by the Civil Service Commission on September 20, 1967. Effective upon publication in the FEDERAL REGISTER, Part 336 is amended as set out below.

§ 336.735-10 Proscribed actions.

An employee shall avoid any action, whether or not specifically prohibited by this subpart which might result in, or create the appearance of:

- (a) Using public office for private gain;
- (b) Giving preferential treatment to any person;
- (c) Impeding Corporation efficiency or economy;
- (d) Losing complete independence or impartiality;
- (e) Making a Corporation decision outside official channels; or
- (f) Affecting adversely the confidence of the public in the integrity of the Corporation.

§ 336.735-11 Gifts, entertainment, and favors.

- (a) Except as provided in paragraphs (b) and (f) of this section, an employee shall not solicit or accept, directly or indirectly, any gift, gratuity, favor, entertainment, loan, or any other thing of monetary value, from a person who:

(c) [Deleted]

(d) An employee shall not solicit a contribution from another employee for a gift to an official superior, make a donation as a gift to an official superior, or accept a gift from an employee receiving less pay than himself (5 U.S.C. 7351). However, this paragraph does not prohibit a voluntary gift of nominal value or donation in a nominal amount made on a special occasion such as marriage, illness, or retirement.

(e) An employee shall not accept a gift, present, decoration, or other thing from a foreign government unless authorized by Congress as provided by the Constitution and in Public Law 89-673, 80 Stat. 952.

(f) Neither this section nor § 336.735-12 precludes an employee from receipt of bona fide reimbursement, unless prohibited by law, for expenses of travel and such other necessary subsistence as is compatible with this part for which no Corporation payment or reimbursement is made. However, this paragraph does not allow an employee to be reimbursed, or payment to be made on his behalf, for excessive personal living expenses, gifts, entertainment, or other personal benefits, nor does it allow an employee to be reimbursed by a person for travel on official business under Corporation orders when reimbursement is prescribed by the Corporation.

§ 336.735-12 Outside employment and other activity.

- (f) * * *
- (1) [Deleted]

§ 336.735-19 Miscellaneous statutory provisions.

(d) The prohibitions against disloyalty and striking (5 U.S.C. 7311, 18 U.S.C. 1918).

(g) The provision relating to the habitual use of intoxicants to excess (5 U.S.C. 7352).

(h) The prohibition against the misuse of a Government vehicle (31 U.S.C. 638a(c)).

(j) The prohibition against the use of deceit in an examination or personnel action in connection with Government employment (18 U.S.C. 1917).

(p) The prohibitions against political activities in subchapter III of chapter 73 of title 5, United States Code and 18 U.S.C. 602, 603, 607, and 608.

(r) The prohibition against an employee acting as the agent of a foreign principal registered under the Foreign Agents Registration Act (18 U.S.C. 219).

§ 336.735-13 Financial interests.

- (a) * * *
- (1) Own, directly or indirectly, or control the ownership of stock in an insured bank, without full disclosure in writing to, and with the approval of, the Board of Directors of the Corporation.

§ 336.735-31 Employees required to submit statements.

Except as provided in § 336.735-32, statements of employment and financial interests will be filed by the following employees:

- (a) Those paid at a level of the Executive Schedule in subchapter II of chapter 53 of title 5, United States Code.
- (b) Those receiving compensation equivalent to that prescribed under section 5332 of title 5, United States Code for grade GS-13 or above whose positions are specifically identified in appendix A to this part which are included by reason of meeting the following criteria:
 - (1) Positions the incumbents of which are responsible for making a Corporation decision or taking a Corporation action in regard to:
 - (i) Contracting or procurement;
 - (ii) Administering or monitoring grants or subsidies;
 - (iii) Regulating or auditing private or other non-Federal enterprise; or
 - (iv) Other activities where the decision or action has an economic impact on the interests of any non-Federal enterprise.
 - (2) Positions which the Corporation determines require the incumbent to report employment and financial interests in order to carry out the purpose of law, Executive order, this part, and the Corporation's regulations.

(c) Alterations to, deletions from and other amendments of the list of positions in appendix A to this part may be made under the criteria in paragraph (b) of

this section and are effective upon approval by the Chairman of the Board and actual notification to the incumbents. Amendments to the list in appendix A to this part shall be submitted annually for publication in the FEDERAL REGISTER.

§ 336.735-31a Employee's complaint on filing requirement.

An employee may complain to the Counselor designated in the regulations in this part that his position has been improperly included in the regulations in this part as one requiring the submission of a statement of employment and financial interests. When a complaint cannot be resolved or explained satisfactorily to the employee he shall be granted a review of the matter through the Corporation's grievance procedure.

§ 336.735-32 Employees not required to submit statements.

Employees subject to separate reporting requirements under section 401 of the Executive order.

§ 336.735-34 Supplementary statements.

Changes in, or additions to, the information contained in an employee's statement of employment and financial interests shall be reported in a supplementary statement as of June 30 each year. If no changes or additions occur, a negative report is required. Notwithstanding the filing of the annual report required by this section, each employee shall at all times avoid acquiring a financial interest that could result, or taking an action that would result, in a violation of the conflicts-of-interest provisions of section 208 of title 18, United States Code, or Subpart B of this part.

§ 336.735-38 Confidentiality of employees' statements.

The Corporation shall hold statements of employment and financial interest, and each supplementary statement, in confidence. All statements shall be received, reviewed, and retained in the office of the assistant to the Chairman of the Board of Directors who is responsible for maintaining the statements in confidence and shall not allow access to, or allow information to be disclosed from, a statement except to carry out the purpose of this part. The Corporation may not disclose information from a statement except as the Chairman of the Corporation or the Civil Service Commission may determine for good cause shown.

§ 336.735-40 Specific provisions of regulations for special Corporation employees.

- (a) * * *
- (2) The financial interests of the special Corporation employee which the Corporation determines are relevant in the light of the duties he is to perform.

Dated this 3d day of October 1967.

[SEAL] LOUISE R. DENO,
Acting Secretary,
Federal Deposit Insurance Corporation.

APPENDIX A—EMPLOYEES WHO MUST FILE STATEMENTS

SPECIFIC POSITIONS

A Head, Associate Head or Assistant Head of a Division or Office of the Corporation (regardless of his specific title)
An Adviser or Assistant to the Board of Directors.

A Supervising Examiner
An Assistant Supervising Examiner

[F.R. Doc. 67-11859; Filed, Oct. 6, 1967; 8:47 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Airspace Docket No. 67-SO-58]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Transition Area

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to revoke the 1,200-foot floor portion of the Tallahassee, Fla., transition area.

The reconfiguration of VOR Federal airways as contained in Airspace Docket No. 67-SO-13 provides controlled airspace of sufficient size to permit the revocation of the 1,200-foot floor portion of the Tallahassee transition area. Therefore, retention of this portion of the transition area is unnecessary for traffic control purposes and is revoked hereby.

This action involves, in part, navigable airspace outside the United States. The Administrator has therefore consulted with the Secretary of State and the Secretary of Defense in accordance with the provisions of Executive Order 10854.

Since this amendment revokes airspace which is otherwise designated by Federal airways, except for a small portion beyond the continental limits of the U.S., the burden upon the public is not substantially altered, therefore, notice and public procedure thereon are unnecessary and the amendment may be made effective without regard to the 30-day statutory period required by § 4(c) of the Administrative Procedure Act.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., October 12, 1967, as hereinafter set forth.

In § 71.181 (32 F.R. 2148, 12668) the Tallahassee, Fla., transition area is amended as follows:

All after "extending from the 5-mile radius area to 3 miles north of the VORTAC." is deleted.

(Secs. 307(a) and 1110 of the Federal Aviation Act of 1958; 49 U.S.C. 1348, 1510, and Executive Order 10854; 24 F.R. 9565)

Issued in Washington, D.C., on October 5, 1967.

T. McCORMACK,
Acting Chief, Airspace and
Air Traffic Rules Division.

[F.R. Doc. 67-11911; Filed, Oct. 6, 1967; 8:49 a.m.]

Title 45—PUBLIC WELFARE

Chapter X—Office of Economic Opportunity

PART 1015—STANDARDS OF CONDUCT FOR EMPLOYEES

The following Part 1015 is added to prescribe rules and procedures relating to the conduct of employees of the Office of Economic Opportunity in conformity with and pursuant to Executive Order 11222 of May 8, 1965, and Title 5, Chapter I, Part 735 of the Code of Federal Regulations.

Subpart A—General

Sec.	Purpose.
1015.735-1	Applicability.
1015.735-2	Effect on related provisions.
1015.735-3	Interpretation and counseling.
1015.735-4	

Subpart B—Specific Rules

1015.735-11	Discrimination.
1015.735-12	Compensation from outside sources for official duties; bribes, gifts, and favors.
1015.735-13	Misuse of relationship with OEO.
1015.735-14	Disclosure and misuse of inside information.
1015.735-15	Speeches; participation in conferences; publications.
1015.735-16	Partisan political activity.
1015.735-17	Outside employment.
1015.735-18	Disqualifications arising from private financial interests and from holding office in outside organizations.
1015.735-19	Service on boards of OEO grantees.
1015.735-20	Employee indebtedness.
1015.735-21	Misuse of Government property.
1015.735-22	Gambling, betting, and lotteries.
1015.735-23	False statements.
1015.735-24	Conduct prejudicial to the Government.
1015.735-25	Former employees.
1015.735-26	Statutory provisions.

Subpart C—Reports; Distribution; Supplemental Regulations

1015.735-31	Reports of non-OEO interests.
1015.735-32	Distribution.
1015.735-33	Supplemental regulations.

AUTHORITY: The provisions of this Part 1015 issued under 18 U.S.C. 203(b); P.L. 88-452, sec. 602(n) (42 U.S.C. 2942(n)); and E.O. 11222 of May 8, 1965, 30 F.R. 6463, 3 CFR, 1965 Supp.; 5 CFR 735.104.

Subpart A—General

§ 1015.735-1 Purpose.

The purpose of this part is to guide OEO employees toward maintaining the high standard of integrity expected of all Government employees. It is intended to require that employees avoid any action which might result in, or create the appearance of:

- (a) Using public office for private gain;
- (b) Giving preferential treatment to any organization or person;
- (c) Impeding Government efficiency or economy;
- (d) Making a Government decision outside official channels;
- (e) Losing complete independence or impartiality of action; or
- (f) Affecting adversely the confidence of the public in the integrity of OEO and the Government.

§ 1015.735-2 Applicability.

(a) **Coverage.** This part applies to all employees of OEO. "Employee," as used in this part, includes regular employees, Presidential appointees, officers, "special Government employees," experts, and consultants—whether employed on a full-time, part-time, or intermittent basis. "Employee" does not include Job Corps enrollees, VISTA's, or persons performing voluntary services for OEO under section 602(g) of the Economic Opportunity Act. Unless otherwise stated in the particular provision, the provisions of this part apply equally to all employees. In a number of cases, separate rules are stated for "special Government employees." A "special Government employee" is an employee appointed to serve not more than 130 days during the 365 days following his appointment. Special Government employees are so designated by the Personnel Division at the time of their appointment.

(b) **Effective date.** This part is effective upon publication in the FEDERAL REGISTER, except that the restrictions of § 1015.735-25, insofar as they apply to "related matters," shall not apply to any person whose employment with OEO was terminated prior to the date of such publication. With respect to any provision of this part which sets forth new OEO policy, the General Counsel may defer the application of such provision in particular cases where he finds it necessary to prevent hardship to employees or former employees.

(c) **Compliance.** Compliance with the applicable provisions of this part is a continuing condition of employment for every OEO employee. Failure to comply with any such provision shall make the employee involved subject to removal or to other appropriate disciplinary action. Such action may be in addition to any penalty which might be prescribed by statute or regulation.

§ 1015.735-3 Effect on related provisions.

Many of the provisions of this part are paraphrased restatements of statutes which affect the conduct of OEO employees. These statutes and all other restrictions imposed by law continue to apply to OEO employees on their own terms. The statutes most likely to be of concern to OEO employees are identified and listed in § 1015.735-26.

§ 1015.735-4 Interpretation and counseling.

The Office of General Counsel of OEO is available to advise on the interpretation of the provisions of this part and the other laws and regulations relevant to the conduct of OEO employees. The General Counsel is designated as OEO counselor for this purpose.

Subpart B—Specific Rules

§ 1015.735-11 Discrimination.

(a) Employees shall at all times give equal treatment and equal opportunity to all persons regardless of race, religion, sex, or political beliefs or affiliations, except as is required by law.

(b) See also the provisions of § 1015.735-15(b), relating to participation in conferences at which discrimination may be practiced.

§ 1015.735-12 Compensation from outside sources for official duties; bribes, gifts, and favors.

(a) *Outside compensation.* No employee may solicit or accept any compensation from any source other than the Government for his services as an officer or employee of the Government (18 U.S.C. 209). In the case of special Government employees, and employees serving without compensation, this prohibition is applicable by virtue of OEO policy rather than by statute; in particular cases, upon a showing that the interests of OEO will not be adversely affected, this policy with respect to special Government employees and employees serving without compensation may be waived by the General Counsel.

(b) *Bribes.* No employee may solicit or accept a bribe (18 U.S.C. 201). A bribe is anything of value solicited or accepted in return for being influenced in the performance of any official act, or for being induced to do or to omit any official act, or for or because of any official act performed or to be performed.

(c) *Gifts and favors.* (1) No employee shall solicit or accept, directly or indirectly, any gift, gratuity, favor, loan, entertainment, or any other thing of monetary value from any person or from any employee of any organization if the OEO employee has reason to believe such person or organization:

(i) Has or is seeking to obtain a grant, contract, or other business or financial relationship with OEO; or

(ii) Conducts programs or activities which are regulated by OEO; or

(iii) Has interests which may be substantially affected by the performance or nonperformance of his official duty.

(2) This paragraph does not prohibit:

(i) Acceptance of gifts and the exchange of social amenities when the relationship between the parties is a personal one and no reasonable inference is possible that the official judgment of the recipient was intended to be or would be influenced thereby.

(ii) Acceptance of food and refreshments of nominal value in the ordinary course of a luncheon or dinner meeting or other meeting when the employee's

attendance at the meeting is in the interest of OEO.

(iii) Acceptance of things, such as unsolicited advertising or promotional material, which are of nominal value and are available to the public on an impersonal basis.

(iv) Participation in the affairs of, or acceptance of an award for a meritorious public contribution or achievement given by, a charitable, religious, professional, social, fraternal or nonprofit educational, recreational, public service or civic organization.

(v) Acceptance of loans from banks or other financial institutions on customary terms to finance proper and usual activities of employees, such as home mortgage loans.

(3) No employee may solicit a contribution from another employee for a gift to an official superior, make a donation as a gift to an official superior, or accept a gift from an employee receiving less pay than himself (5 U.S.C. 7351). This restriction, however, is not applicable to voluntary gifts of nominal value or donations in nominal amounts made on special occasions such as marriage, illness, or retirements, or to the exchange of social amenities between personal friends.

§ 1015.735-13 Misuse of relationship with OEO.

(a) *Commercial exploitation generally.* No employee shall permit his relationship with OEO to be exploited for commercial purposes.

(b) *Publications and products.* If an employee, other than a special Government employee, is associated outside the scope of his OEO employment with a publication or product which might be sold commercially for use in programs supported financially by OEO, his relationship with OEO may not be used in connection with the publication or product without the addition of a statement disclaiming any official OEO endorsement of it.

(c) *Publications and products—special Government employees.* A special Government employee (as defined in § 1015.735-2(a)) may not allow his relationship with OEO to be used in connection with any publication or product with which he is privately associated and which might be sold commercially for use in programs supported financially by OEO.

§ 1015.735-14 Disclosure and misuse of inside information.

(a) *Disclosure and use for personal benefit.* No employee shall, directly or indirectly, disclose or use for his own benefit, or for the private benefit of another, inside information as described in paragraph (b) of this section. The use of such information by an employee is restricted to the proper performance of his official duties. The disclosure of such information is restricted to official OEO channels unless disclosure is authorized by the Director, the Deputy Director, an Assistant Director, or a Regional Director of OEO. In particular, no employee shall:

(1) Engage in, directly or indirectly, a financial transaction as a result of or primarily relying on such information; or

(2) Publish any book or article, or deliver any speech or lecture, based on or using such information.

(b) *Definition.* The term "inside information" as used in this section means, generally, information obtained under Government authority which is not known by the general public and which could affect the rights or interests of the Government or of a non-Government organization or person. Such information includes information about OEO operations or administration, and personal information about OEO personnel which could influence someone's dealings with OEO.

(c) This section is not intended to discourage the disclosure through proper channels of information which has been or should be made public, or which is by law to be made available to the public. Also, employees are encouraged to teach, lecture, and write, provided they do so in accordance with the provisions of this section and § 1015.735-15.

§ 1015.735-15 Speeches; participation in conferences; publications.

(a) *Fees and expenses.* (1) No employee may accept a fee for his own use or benefit for making a speech, delivering a lecture, participating in a discussion, or writing an article or book, etc., if the subject is OEO or OEO programs, or if such services are part of the employee's official OEO duties.

(2) Fees offered to an employee for such speeches, articles, etc., shall be refused. The employee may suggest that the amount otherwise payable as a fee or honorarium be contributed to the Office of Economic Opportunity or one of its grantees, or to some other charity, but the employee may not suggest the particular grantee or charity to which a donation might be made.

(3) When a meeting, discussion, etc., takes place at a substantial distance from the employee's home he may accept payment for transportation and necessary subsistence but for no other expense or as a personal benefit. He may not accept such payments, however, if he is traveling on official business under agency orders.

(4) An employee may accept fees for speeches, articles, etc., dealing with subjects other than OEO or OEO programs unless such activities interfere with the efficient performance of his OEO duties.

(b) *Racial segregation.* No employee may participate for OEO in conferences or speak for OEO before audiences where any racial group has been segregated or excluded from the meeting, from any of the facilities or conferences, or from membership in the organization sponsoring the conference or meeting.

(1) When a request for OEO speakers or participation is received under circumstances where segregation may be practiced, the Director of the Speakers Bureau shall make specific inquiry as to the practices of the organization before the request is filled.

(2) If the inviting organization shows a willingness to modify its practices for the occasion, OEO will cooperate in such efforts.

(3) Exceptions to this paragraph may be made only by the Director.

(c) *Political groups.* No employee, except a Presidential appointee, may address a meeting of a partisan political organization about OEO or OEO programs.

(d) *Other restrictions.* See also § 1015.735-14(a)(2), relating to the use of inside information; § 1015.735-12(a), relating to outside compensation for OEO duties, and § 1015.735-12(c), relating to acceptance of entertainment.

§ 1015.735-16 Partisan political activity.

(a) *Prohibited activities.* No employee may:

(1) Use his official authority or influence for the purpose of interfering with an election or affecting the result thereof; or

(2) Take any active part in partisan political management or in political campaigns, except as may be provided by or pursuant to statute (5 U.S.C. 7324).

(b) *Intermittent employees.* Persons employed on an irregular or occasional basis are subject to paragraph (a) of this section only while in active duty status and for the 24 hours of any day of actual employment.

(c) *Excepted activities.* Paragraph (a) of this section does not apply to:

(1) Nonpartisan campaigns and elections in which none of the candidates is to be nominated by or elected as representing a national or State political party, such as most school board elections; or

(2) Political activities connected with questions of public interest which are not specifically identified with national or State political parties, such as constitutional amendments, referenda, and the like (5 U.S.C. 7326).

(d) *Excepted communities.* Paragraph (a) of this section does not apply to employees who are residents of certain communities. These communities, which have been designated by the Civil Service Commission (5 CFR 733.301), consist of a number of communities in suburban Washington, D.C., and a few communities elsewhere in which a majority of the voters are Government employees. Employees who are residents of the designated communities may be candidates for, or campaign for others who are candidates for, local office if they or the candidates for whom they are campaigning are running as independent candidates. An employee may hold local office only in accordance with § 1015.735-17, relating to outside employment.

§ 1015.735-17 Outside employment.

(a) *Reporting.* All employees not required by § 1015.735-31(j) to report their outside employment and financial interests shall inform their supervisors of all outside employment they hold or accept.

(b) *Restrictions.* An employee should not accept outside employment which would (1) interfere with the proper and

efficient performance of his OEO duties, (2) create a conflict of interests with his OEO employment or violate any other law or regulation, or (3) involve rendering services which the employee should render to OEO. If the circumstances indicate that the outside job may produce one of these situations, the employee should consult his supervisor, the Director of Personnel, or the General Counsel before accepting it. The following paragraphs set out specific provisions relating to particular kinds of outside employment.

(c) *Employment with OEO grantee and contractor organizations.* (1) No OEO employee may be employed as an executive officer of any grantee or delegate agency (other than a religious organization) assisted under sections 204 or 205 of the Economic Opportunity Act, as amended (P.L. 88-452, as amended, § 205(j), 42 U.S.C. 2785(j)). "Executive officer" means a member of the supervisory staff who reports directly to the agency's governing board or to the staff director. Employment in a less senior position, and employment as a teacher or consultant, is not prohibited if consistent with the other provisions of this part. "Religious organization" means churches and nonprofit organizations which are formed to propagate religion, support religious services, or hold and administer property for religious use or for educational or community services which include religious instruction or propagation as an essential element.

(2) A special Government employee (as defined in § 1015.735-2(a)) may serve as executive officer of a grantee or delegate agency if he has not served OEO for more than 60 days during the immediately preceding period of 365 days. However, he may not in any event perform any service as an executive officer of a grantee or delegate agency during any part of any day on which he serves as an OEO employee.

(d) *Compensation from other Federal or District of Columbia agencies.* (1) A full-time employee may not accept compensation from any other agency of the Federal or District of Columbia governments unless (i) it is overtime compensation, (ii) he is on leave without pay from OEO, or (iii) it consists of fees paid on other than a time basis (5 U.S.C. 5533). A "full-time employee" is one who is appointed, on either a permanent or temporary basis, to work a regular tour of duty of 40 hours per week.

(2) All other employees may receive compensation from other part-time jobs with the Federal or District of Columbia governments for up to a combined total of 40 hours per week, exclusive of overtime.

(3) Subparagraphs (1) and (2) of this paragraph do not apply to experts or consultants compensated by OEO on a when-actually-employed basis who hold other expert or consultant positions in the Federal or District of Columbia government compensated on the same basis.

(4) No employee may receive compensation from two Federal or District of Columbia agencies for the same hours of the same day. See also § 1015.735-12(a),

prohibiting compensation from non-Government sources for Government work.

(e) *Dual Federal and State office holding.* (1) A full-time employee may hold a position in a State or local government on other than a full-time basis, and a part-time or intermittent employee may hold a position in a State or local government whether that position is full-time or not; *Provided*, That the employee's supervisor determines in advance that the holding of the State or local office will not interfere with the regular, proper, and efficient discharge of his OEO duties.

(2) An employee may hold a full-time position in a State or local government while on leave without pay. OEO shall be the sole judge of whether it is in its interest to grant leave without pay for this purpose.

(3) An employee of State or local government who is on leave without pay may be appointed to a full-time position in OEO on a temporary basis.

(4) This paragraph does not apply to Presidential appointees. Such persons may not hold an office in a State or local government during their appointment to OEO.

(f) *Activities and compensation in matters involving the Government.* (1) No employee, otherwise than in proper discharge of his official duties, may act as agent or attorney for anyone in a claim against the Government or in connection with a particular matter pending before any agency, court, or officer of the Government in which the Government is a party or has a direct and substantial interest (18 U.S.C. 205). Therefore, an employee may not participate in negotiations or informal discussions with any Government agency on behalf of private persons or organizations; nor may he write letters to Government officials on their behalf.

(2) No employee may, otherwise than as provided by law for the proper discharge of his official duties; directly or indirectly receive, agree to receive, or solicit any compensation for services rendered or to be rendered either by himself or another in relation to any claim against the Government, or to a proceeding or other particular matter before any agency, court, or office of the Government in which the United States is a party or has a direct and substantial interest (18 U.S.C. 203). Therefore, an employee may help private persons or organizations prepare grant applications, program reports, and other material which is designed to become the subject of dealings between the non-Government organization and a Government agency only if he receives no compensation for such services and if he does not violate subparagraph (1) of this paragraph.

(3) In the case of a special Government employee (as defined in § 1015.735-2(a)), the restrictions of this paragraph apply only to activities in connection with matters pending before OEO and other matters in which the employee has participated personally as an employee through decision, approval, disapproval,

recommendation, the rendering of advice, investigation, or otherwise. Furthermore, special Government employees who are not employed on a full-time basis are not subject to the restriction against working on matters pending before OEO until they have worked 60 working days for OEO within the past year. However, full-time special Government employees are required by OEO policy to observe this restriction from the first day of their appointment.

(4) This section does not prohibit an employee:

(i) From acting without compensation as agent or attorney for any person who is the subject of disciplinary, loyalty, or other personnel administration proceedings in connection with those proceedings, as long as so acting is not inconsistent with the performance of his duties; or

(ii) From acting, with or without compensation, as agent or attorney for his parents, spouse, child, or for any person or estate he is serving in a fiduciary capacity, except in those matters in which he has participated personally for the Government or which are the subject of his official responsibility; or

(iii) From giving testimony under oath or from making statements required to be made under penalty for perjury or contempt (18 U.S.C. 205).

§ 1015.735-18 Disqualifications arising from private financial interests and from holding office in outside organizations.

(a) *Financial interests of employee, family members, and partners.* No employee may participate personally as an OEO employee in any matter in which, to his knowledge, he, his spouse, minor child, or partner has a financial interest, whether directly or indirectly (such as through ownership of securities).

(b) *Financial interest of employers, prospective employers, and organizations which the employee serves.* No employee may participate personally as an OEO employee in any matter in which, to his knowledge, (1) an organization which he is serving as an officer, director, trustee, or employee, whether for compensation or not, or (2) an organization with which he is negotiating for, or has any arrangement concerning, future employment, has a financial interest. An employee may negotiate for prospective employment with a non-Government organization only when he has no duties as an OEO employee which could affect that organization's interest, or after he has disqualified himself, on the written permission of his supervisor, from such duties.

(c) *General exemptions—(1) Small stock holdings.* Ownership by an employee, or his spouse, minor child, or partner of stock or other securities of an organization having a financial interest in a matter before OEO is exempt from paragraph (a) of this section if (i) the interest in that organization amounts to less than \$5,000 in market value and less than 1 percent of that organization's outstanding stock

or other securities, and (ii) the employee, his spouse and minor children are not active in the management and have no other connection with or interest in that organization. Such an interest is hereby determined pursuant to 18 U.S.C. 208(b)(2) to be too inconsequential to affect the integrity of the employee's services.

(2) *Indirect stock holdings.* Ownership by an employee, or his spouse, or minor children of certain indirect financial interests in matters before OEO are exempt from paragraph (a) of this section. These interests are shares in publicly held mutual funds, banks, investment and insurance companies, and similar organizations, which in turn own an interest in an organization involved in a matter before OEO. Such an interest is hereby determined pursuant to 18 U.S.C. 208(b)(2) to be too remote to affect the integrity of the employee's services.

(3) *Remote employment.* Employment of an OEO employee with an agency of a State or local government is exempt from paragraph (b) of this section with respect to other agencies of that State or local government which are clearly distinguishable and remote from the agency which he is serving. His interest in matters involving such other agencies is hereby determined pursuant to 18 U.S.C. 208(b)(2) to be too remote to affect the integrity of the employee's services. For instance, employment as a teacher at a State university will not constitute employment with that State with respect to dealings with the State welfare department. However, for the purpose of this exemption, the effect of employment with a particular State agency must be determined by the Office of General Counsel on the facts of each particular case.

(d) *Application for specific exemptions.* (1) Specific exemptions may be obtained to permit an employee to participate in a particular matter in which his financial interest is insubstantial, and to permit an employee to participate in any matters which may arise concerning particular private organizations in which his interest is insubstantial.

(2) An employee may obtain specific exemptions by written application through his supervisor to the General Counsel. The application should describe the employee's OEO duties, his relevant financial interest or outside association, why it is insubstantial, and the particular matter involved.

(3) Exemptions granted shall be communicated in writing, a copy of which shall be included in the employee's official personnel folder.

(e) *Interest prior to OEO employment.* No employee may advise, recommend, or otherwise participate in the decision with which OEO concludes its consideration of a grant or contract application which the employee, prior to his OEO appointment, helped to develop. It is not improper, however, for the employee to contribute his special knowledge to the OEO officers making that decision.

(f) *Indirect personal interest.* No employee may participate in any decision by OEO which might affect or appear to affect favorably his career or professional reputation through the use by OEO of publications, systems, programs, etc., prepared by him outside the course of, or prior to, his OEO employment.

§ 1015.735-19 Service on boards of OEO grantees.

No employee may serve as a member of the board of directors of any grantee or delegate agency (other than a religious organization) under section 204 or 205 of the Economic Opportunity Act, as amended. Service on the board of a religious organization as defined in § 1015.735-17(c)(1) is not prohibited. A special Government employee (as defined in § 1015.735-2(a)) may serve as a board member if he has not served OEO for more than 60 days during the immediately preceding period of 365 days, but he may not in any event perform any service as such a board member during any part of any day on which he serves as an OEO employee. See also § 1015.735-17(c) in relation to employment with grantee and delegate agencies.

§ 1015.735-20 Employee indebtedness.

OEO considers the indebtedness of its employees to be a matter of their own concern. OEO will not be placed in the position of acting as a collection agency or of determining the validity or amount of debts. Nevertheless, employees shall pay each just financial obligation in a proper and timely manner, especially one imposed by law such as Federal, State, or local taxes. For the purpose of this section, a "just financial obligation" means one acknowledged by the employee or reduced to judgment by a court. "In a proper and timely manner" means in a manner which the agency determines does not, under the circumstances, reflect upon the Government as his employer.

§ 1015.735-21 Misuse of Government property.

No employee may use or allow the use of Federal property for other than official activities. Each employee is responsible for protecting and conserving Federal property, including equipment and supplies.

§ 1015.735-22 Gambling, betting, and lotteries.

No employee shall participate, on premises owned or leased by the Government, or anywhere else while on duty, in the operating of gambling devices, in conducting an organized lottery or pool, in games for money or property, or in selling or purchasing numbers tickets.

§ 1015.735-23 False statements.

No employee shall knowingly falsify or conceal a material fact, or make any false statement or representation, or use a document he knows to be false, in connection with any official Government matter (18 U.S.C. 1001).

§ 1015.735-24 Conduct prejudicial to the Government.

No employee shall engage in criminal, infamous, dishonest, immoral, or notoriously disgraceful conduct or other conduct prejudicial to the Government.

§ 1015.735-25 Former employees.

(a) *Notification of employment with contractors or grantees.* In order to prevent conflicts of interests, a former OEO employee should notify the General Counsel if, within 1 year after he leaves OEO, he accepts employment with an OEO contractor, grantee, or delegate agency. He will be advised promptly whether and how the services he may render to his new employer are restricted by the provisions of the following two paragraphs.

(b) *Representing private organizations.* No former employee shall act as agent or attorney before the Government for anyone other than the Government in connection with a particular matter in which he participated personally as an OEO employee (18 U.S.C. 207(a)). In addition to this statutory restriction, no former employee shall act as agent or attorney before the Government, for a period of 9 months after the termination of his OEO employment, in connection with any particular matter which is related to a matter in which he participated personally as an OEO employee during the last 9 months of his OEO employment. For the purposes of this paragraph and of paragraph (c) of this section, a matter shall be deemed to be related to another matter if it can be identified as growing out of the other matter. For example, a grant for a particular activity for a year would normally be considered to be a matter related to a grant for the same activity for the prior year.

(c) *Personal appearance as representative of private organizations.* No former employee shall appear personally before any officer or agency of the Government in connection with a particular matter which was within his official responsibility during the last year of his OEO employment (18 U.S.C. 207(b)). The prohibited personal appearances include oral discussions, both face-to-face and by telephone, but do not include writing letters or sending telegrams. "Official responsibility," as defined in 18 U.S.C. 202(a), means intermediate or final authority, exercisable either personally or through subordinates, to approve, disapprove, or otherwise direct Government action. This prohibition lasts for 1 year after the termination of the employee's responsibility for such matters. In addition to this statutory restriction, no former employee shall appear personally before the Government, for a period of 9 months after the termination of his OEO employment, in connection with a matter which is related to a particular matter for which he was officially responsible during the last year of his OEO employment.

(d) *Exemption for specialists.* A former employee who has outstanding scientific or technological qualifications

may represent another in a matter within the area of his scientific or technological expertise, if the Director has certified in writing published in the FEDERAL REGISTER that such representation is in the national interest. Application for such an exemption shall be made in writing to the General Counsel.

(e) *Additional rules.* Former employees should continue to observe the provisions of § 1015.735-14, relating to the disclosure and misuse of inside information about OEO which they acquired while they were employees. Also some of the statutes listed in § 1015.735-26 are applicable to all persons. For instance, 18 U.S.C., sections 594 and 600, relating to certain political activities, 18 U.S.C., section 508, relating to falsification of Government transportation requests, and 18 U.S.C., section 641, relating to the mishandling of public money, apply to everyone, not just to persons presently employed by the Government.

§ 1015.735-26 Statutory provisions.

The statutes, and their United States Code citations, most important to employees and former employees are:

- (a) The laws on bribery, graft, and conflicts of interests, 18 U.S.C. 201-224.
- (b) Prohibited political activities, 5 U.S.C. 7324-7327.
- (c) Other laws on elections and political activities, 18 U.S.C. 591-612.
- (d) Prohibition against dual pay, 5 U.S.C. 5533.
- (e) Gifts from other employees, 5 U.S.C. 7351.
- (f) Failure to make returns or reports, 18 U.S.C. 2075.
- (g) Lobbying with appropriated funds, 18 U.S.C. 1913.
- (h) Disloyalty and striking against the Government, 5 U.S.C. 7311 and 18 U.S.C. 1918.
- (i) Employment of a member of a Communist organization, 50 U.S.C. 784.
- (j) (i) Disclosure of classified information, 18 U.S.C. 798, 50 U.S.C. 783; and (ii) disclosure of confidential information, 18 U.S.C. 1905.
- (k) Habitual use of intoxicants to excess, 5 U.S.C. 7352.
- (l) Misuse of a Government vehicle, 31 U.S.C. 638a(c).
- (m) Misuse of the franking privilege, 18 U.S.C. 1719.
- (n) Use of deceit in an examination or personnel action in connection with Government employment, 18 U.S.C. 1917.
- (o) Fraud or false statements in a Government matter, 18 U.S.C. 1001.
- (p) Mutilating or destroying a public record, 18 U.S.C. 2071.
- (q) Counterfeiting and forging transportation requests, 18 U.S.C. 508.
- (r) (i) Embezzlement of Government money or property, 18 U.S.C. 641; (ii) failing to account for public money, 18 U.S.C. 643; and (iii) embezzlement of the money or property of another person in the possession of an employee by reason of his employment, 18 U.S.C. 654.
- (s) Unauthorized use of documents relating to claims from or by the Government, 18 U.S.C. 285.

(t) Acting as the agent of a foreign principal registered under the Foreign Agents Registration Act, 18 U.S.C. 219.

(u) Accepting gifts, presents, or decorations from foreign governments except as authorized by 5 U.S.C. 7342, U.S. Constitution, art. I, sec. 9.

(v) House Concurrent Resolution 175, 85th Cong., 2d session, 25 Stat. B12, the "Code of Ethics for Government Service."

Subpart C—Reports; Distribution; Supplemental Regulations

§ 1015.735-31 Reports of non-OEO interests.

(a) *Reports required.* The employees designated in paragraph (j) of this section are required to report to OEO their non-OEO employment, certain financial and property interests, and the names of certain of their creditors. The substance of these reports shall be as required by forms which are available from the Personnel Division. These reports shall be submitted to the Personnel Division.

(b) *Nonreportable interests.* Employees are not required to report a connection with or interest in a professional society or a charitable, religious, social, fraternal, recreational, public service, civic, or political organization which is not conducted as a business enterprise, unless such organization does research and development or related work involving grants from or contracts with the Government, or unless such organization has or is likely to have a contract with or grant from OEO.

(c) *Interests known to others.* If any information required to be reported is not known to the employee but is known to another person, the employee shall request that person to submit the information in his behalf.

(d) *Interests of family.* The interest of a spouse, minor child, or other resident of the employee's household who is related to him by blood is considered to be an interest of the employee.

(e) *When reports are due.* Each employee required to make a report who is employed by OEO when this part is published in the FEDERAL REGISTER shall submit the report within ninety days after that publication date. Each employee required to make a report who is to be appointed to OEO after the date of publication of this part must submit the report before entering on duty, provided that the Personnel Director may extend this deadline, for employees other than special Government employees, to a date not more than 30 days after entrance on duty.

(f) *Supplemental reports.* A supplemental report shall be filed by each person who is an employee of OEO on June 30 of any year, showing the required information as of that date. This report shall be filed not later than July 31. Notwithstanding the filing of the annual supplemental report, each employee shall at all times avoid acquiring a financial interest that could result, or taking an action that would result, in a violation of the conflicts-of-interest provisions of 18 U.S.C. 208 or this part. In addition, each special Government employee (as

defined in § 1015.735-2(a)) shall keep his report current, so long as he is employed by OEO, through the submission of supplemental statements.

(g) *Review.* The Personnel Director shall designate a senior personnel officer who shall review the reports and shall report any conflict of interest, real or apparent, to the General Counsel who shall recommend such remedial action as may be necessary. Remedial action may include but is not limited to (1) changes in assigned duties, (2) divestment by the employee of his conflicting interest, or (3) disqualification from a particular assignment. The employee concerned shall be given the opportunity to explain any conflict of interest, real or apparent. All remedial action shall be taken in accordance with applicable laws, orders and regulations. Unresolved conflicts shall be reported to the Director.

(h) *Confidentiality of reports.* All information contained in these reports is confidential. The officer designated under paragraph (g) of this section shall maintain the reports in confidence and shall allow access to other OEO officials, or disclose information to them, only to the extent necessary to carry out the purpose of this part. No information from these reports shall be disclosed to persons outside OEO except, upon good cause shown, by order of the Civil Service Commission or the Director. Upon termination of the employment in OEO of any person required to submit a report, such reports shall be disposed of in accordance with the appropriate disposal schedule prescribed by the Civil Service Commission.

(i) *Effect on other provisions.* Reports of non-OEO interests are additions to, not substitutes for, or derogations of, any similar requirement imposed by law, order, or regulations. The making of a report by an employee does not permit him or any other person to participate in a matter in which his or the other person's participation is prohibited by law, order, or regulation.

(j) *Who must file reports.* The employees listed below are required to file reports of non-OEO interests under this section. Any employee who believes that his position has been improperly included in this list may secure a review of such inclusion through the regular OEO grievance procedures.

(1) All employees, except the Director, in positions paid at a level of the Executive Schedule.

(2) Occupants of the following positions; if classified at GS-13 or above:

(i) In CAP headquarters: Director, Community Action Program; Deputy Director, Community Action Program; Director, Office of Special Field Programs; Director, Project Upward Bound; Deputy Director, Project Upward Bound; Director, Office of Program Planning; Director, Office of Training and Technical Assistance; Director, CAP Office of Health Affairs.

(ii) In Job Corps headquarters: Director, Job Corps; Deputy Director, Job Corps; Director of Financial Management.

(iii) In VISTA headquarters: Director, VISTA; Deputy Director, VISTA; Associate Directors, VISTA.

(iv) In the Office for Management: Assistant Director for Management; Deputy Assistant Director for Management; contracting officers.

(v) In the Office of Research, Plans, Programs, and Evaluation: Director; Deputy Director.

(vi) In the Office of Public Affairs: Assistant Director for Public Affairs; Public Information Officer (Administrative).

(vii) In the Office for Health Affairs: Director; Deputy Director; Executive Officer.

(viii) In the Information Center: Director; Deputy Director.

(ix) In the Office of General Counsel: General Counsel; Deputy General Counsel; Assistant General Counsel for VISTA; Procurement Attorney.

(x) In each OEO Regional Office: Regional Director; Deputy Regional Director; CAP Regional Administrator; Job Corps Regional Administrator; VISTA Regional Administrator; Chief, Management Division; administrative contracting officers.

(3) All special Government employees (as defined in § 1015.735-2(a)). Such employees shall report their outside employment and such financial interests as the Director of Personnel deems relevant in the light of the duties to be performed. In the case of temporary summer employees hired at GS-9 and below to perform duties other than those of an expert or consultant, the reporting requirement will be waived. It may also be waived by the Director with respect to other appointments, except as experts or consultants, upon a finding that the duties of the position held by the special Government employee are of a nature and at such a level of responsibility that the reporting of employment and financial interests is not necessary to protect the integrity of the Government.

§ 1015.735-32 Distribution.

(a) Distribution of this part: The Personnel Director shall issue copies of this part and all revisions thereof to all employees (1) immediately after its publication in the FEDERAL REGISTER, and (2) at the time of a new employee's appointment if he is appointed after this part is published.

(b) Distribution of related material: The Personnel Director shall also issue to each new employee at the time of his appointment copies of all OEO instructions and notices relevant to employee conduct, and any additional material specified by the General Counsel.

(c) The General Counsel shall, at least semiannually, bring this part to the attention of all employees.

§ 1015.735-33 Supplemental regulations.

The Assistant Directors for Job Corps, CAP, and VISTA and the heads of offices not included in these three divisions may issue, subject to the approval of the General Counsel, supplemental and im-

plementing regulations not inconsistent with this part.

Civil Service Commission approval. This part 1015 was approved by the Commission on September 20, 1967.

Dated: September 29, 1967.

SARGENT SHRIVER,
Director,

Office of Economic Opportunity.

[F.R. Doc. 67-11860; Filed, Oct. 6, 1967; 8:47 a.m.]

Title 50—WILDLIFE AND FISHERIES

Chapter I—Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service, Department of the Interior

PART 32—HUNTING

Certain Refuges in California

The following regulations are issued and are effective on date of publication in the FEDERAL REGISTER. These regulations apply to public hunting on portions of certain National Wildlife Refuges in California.

General conditions. Hunting shall be in accordance with applicable State regulations except for the special conditions indicated. Portions of refuges which are open to hunting are designated by signs and/or delineated on maps. Special conditions applying to individual refuges are listed on the reverse side of the refuge hunting map and/or included herein. Maps are available at refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 730 Northeast Pacific Street, Portland, Oreg. 97208.

§ 32.12 Special regulations; migratory game birds; for individual wildlife refuge areas.

Ducks, geese, coots, and gallinules may be hunted on the following refuges:

Colusa National Wildlife Refuge, Box 311, Willows, Calif. 95988.

Special condition. Opening date of the waterfowl season is delayed until October 21, 1967.

Delevan National Wildlife Refuge, Box 311, Willows, Calif. 95988.

Special condition. Opening date of the waterfowl season is delayed until October 21, 1967.

Kern National Wildlife Refuge, Post Office Box 219, Delano, Calif. 93215.

Merced National Wildlife Refuge, Post Office Box 854, Merced, Calif. 95341.

Special condition. Opening date of the waterfowl season is delayed until October 21, 1967.

Modoc National Wildlife Refuge, Alturas, Calif. 96101. (Headquarters: Post Office Box 111, Lakeview, Oreg. 97630.)

Salton Sea National Wildlife Refuge, Post Office Box 247, Calipatria, Calif. 92233.

Sacramento National Wildlife Refuge, Box 311, Willows, Calif. 95988.

Special condition. Opening date of the waterfowl season is delayed until October 21, 1967.

San Luis National Wildlife Refuge, Post Office Box 2176, Los Banos, Calif. 93635.

Sutter National Wildlife Refuge, Box 311, Willows, Calif. 95988.

Special condition. Opening date of the waterfowl season is delayed until October 21, 1967.

§ 32.22 Special regulations; upland game. Upland game may be hunted on the following refuge areas:

Colusa National Wildlife Refuge, Box 311, Willows, Calif. 95988.

Delevan National Wildlife Refuge, Box 311, Willows, Calif. 95988.

Merced National Wildlife Refuge, Post Office Box 854, Merced, Calif. 95341.

Sacramento National Wildlife Refuge, Box 311, Willows, Calif. 95988.

San Luis National Wildlife Refuge, Post Office Box 2176, Los Banos, Calif. 93635.

Sutter National Wildlife Refuge, Box 311, Willows, Calif. 95988.

The provisions of these special regulations supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through January 7, 1968.

CLAY E. CRAWFORD,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

SEPTEMBER 29, 1967.

[P.R. Doc. 67-11844; Filed, Oct. 6, 1967; 8:46 a.m.]

PART 32—HUNTING

Certain Refuges in Nevada

The following regulations are issued and are effective on date of publication in the FEDERAL REGISTER. These regulations apply to public hunting on portions of certain National Wildlife Refuges in Nevada.

General conditions. Hunting shall be in accordance with applicable State reg-

ulations except for the special conditions indicated. Portions of refuges which are open to hunting are designated by signs and/or delineated on maps. Special conditions applying to individual refuges are listed on the reverse side of the refuge hunting map and/or included herein. Maps are available at refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 730 Northeast Pacific Street, Portland, Oreg. 97208.

§ 32.12 Special regulations; migratory game birds; for individual wildlife refuge areas.

Migratory game birds, excepting dove and jacksnipe, may be hunted on the following refuges:

Fallon National Wildlife Refuge, Post Office Box 592, Fallon, Nev. 89406.

Pahrnagat National Wildlife Refuge, Post Office Box 440, Las Vegas, Nev. 89101.

Special conditions. Hunters will report at such checking stations as may be established when entering or leaving the area. The use of motors on boats is not permitted.

Ruby Lake National Wildlife Refuge, Ruby Valley, Nev. 89833.

Stillwater Wildlife Management Area, Post Office Box 592, Fallon, Nev. 89406.

§ 32.22 Special regulations; upland game. Upland game may be hunted on the following refuge areas:

Fallon National Wildlife Refuge, Post Office Box 592, Fallon, Nev. 89406.

Special condition. Hunting permitted for pheasant, Valley quail, chukar and Hungarian partridge, and cottontail rabbits only.

Pahrnagat National Wildlife Refuge, Post Office Box 440, Las Vegas, Nev. 89101.

Special condition. Hunting permitted for pheasant, quail, and cottontail rabbits only.

Charles Sheldon Antelope Range, Nev. (Headquarters: Post Office Box 111, Lakeview, Oreg. 97630.)

Special condition. Hunting permitted for sage grouse, chukar and Hungarian partridge, quail, and cottontail rabbits only.

Stillwater Wildlife Management Area, Post Office Box 592, Fallon, Nev. 89406.

Special condition. Hunting permitted for pheasant, Valley quail, chukar and Hungarian partridge, and cottontail rabbits only.

The provisions of these special regulations supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through January 15, 1968.

CLAY E. CRAWFORD,
Acting Regional Director,
Portland, Oreg.

SEPTEMBER 20, 1967.

[P.R. Doc. 67-11845; Filed, Oct. 6, 1967; 8:45 a.m.]

PART 32—HUNTING

Browns Park National Wildlife Refuge, Colo.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 32.32 Special regulations; big game; for individual wildlife refuge areas.

COLORADO

BROWNS PARK NATIONAL WILDLIFE REFUGE

Public hunting of deer in accordance with Colorado Game, Fish and Parks Department hunting regulations is permitted on Browns Park National Wildlife Refuge, Colo., for the rifle season, which is October 21, through November 9, 1967.

The provisions of this special regulation supplements the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through November 9, 1967.

H. J. JOHNSON,
Refuge Manager, Browns Park
National Wildlife Refuge,
Vernal, Utah.

SEPTEMBER 26, 1967.

[P.R. Doc. 67-11863; Filed, Oct. 6, 1967; 8:47 a.m.]

Proposed Rule Making

DEPARTMENT OF THE TREASURY

Comptroller of the Currency

[12 CFR Part 12]

OWNERSHIP REPORTS BY CERTAIN PERSONS

Definition of "Beneficial Ownership"

Notice is hereby given that the Comptroller of the Currency, pursuant to the authority contained in the National Banking Laws (R.S. 324 et seq., as amended; 12 U.S.C. 1 et seq.) and sections 12(l), 14(a), 14(c), and 16(a), Securities Exchange Act of 1934, as amended, is considering the adoption of a revision of 12 CFR 12.2 relating to an addition therein of a definition of "beneficial ownership".

Prior to the adoption of the revised regulation, consideration will be given to any written comments pertaining thereto which are submitted within 30 days of the publication hereof to the Comptroller of the Currency, Washington, D.C. 20220 (attention Chief Counsel, Room 4134, Main Treasury Building). All national banks and other interested parties are invited to submit their comments.

It is proposed that 12 CFR 12.2 be amended by adding a new § 12.2(e) as follows:

§ 12.2 Definitions.

(e) The terms "beneficial ownership," "beneficially owned," and the like, when used with respect to the reporting of ownership of the bank's equity securities in any statement or report required by Parts 10 through 18 of this chapter, shall include, in addition to direct and indirect beneficial ownership by the reporting person, ownership of such securities (1) by the spouse (except where legally separated) and minor children of such reporting person, and (2) by any other relative of the reporting person who has the same home as such person.

Dated: October 2, 1967.

[SEAL] WILLIAM B. CAMP,
Comptroller of the Currency.

[F.R. Doc. 67-11768; Filed, Oct. 6, 1967;
8:45 a.m.]

DEPARTMENT OF THE INTERIOR

Office of the Secretary

[43 CFR Part 23]

MINED LAND RECLAMATION

Notice of Extension of Time for Comments

On July 20, 1967, there was published in the FEDERAL REGISTER (Vol. 32, No.

139, pp. 10656-58) as a notice of proposed rule making a proposed new Part 23 to Title 43, Code of Federal Regulations relating to the protection and reclamation of surface mined lands. On August 22, 1967, notice of an extension of time until October 20, 1967, for the receipt of comments from interested persons was published in the FEDERAL REGISTER (Vol. 32, No. 162, p. 12059).

Notice is hereby given that the time for submission of written comments, suggestions, or objections with respect to the proposed regulations to the Secretary of the Interior, Washington, D.C., is extended until the close of office hours on Wednesday, December 20, 1967.

STEWART L. UDALL,
Secretary of the Interior.

OCTOBER 3, 1967.

[F.R. Doc. 67-11851; Filed, Oct. 6, 1967;
8:46 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 13847; FCC 67-1075]

[47 CFR Parts 2, 89, 91, 93, 95] FREQUENCY ALLOCATION AND ASSIGNMENT

Further Notice of Proposed Rule Making

In the matter of amendment of Parts 89, 91, 93, and 95 (formerly 10, 11, 16, and 19) of the Commission's rules to reduce the separation between the assignable frequencies in the 450-470 Mc/s band; amendment of Parts 2, 87 (formerly 9), 89, 91, 93, 95, and 21 of the Commission's rules to reallocate frequencies in the 460-470 Mc/s band and to make additional frequencies available for assignment in the 450-470 Mc/s band; amendment of Parts 89, 91, and 93 of the Commission's rules to prohibit the use of frequencies in the 450-470 Mc/s band by fixed stations other than control stations used for the secondary control of mobile relay stations; Docket No. 13847.

1. In the first report and order in this proceeding, released December 2, 1966 (FCC 66-1084, 31 F.R. 15577), technical standards were adopted which would permit operation on 25 kc/s channels in the Public Safety, Land Transportation, Industrial, and Citizens Radio Services in the 450-470 Mc/s band.² Decision on the remaining issues in this proceeding was deferred. The remaining issues involve (a) the allocation of frequencies, (b) status of the split frequencies—secondary or primary—and coordination requirements for their assignment, (c) pairing of frequencies, (d) fixed operations in

the 450-470 Mc/s band, and fixed operations in the 150.8-160 Mc/s band in the Public Safety Radio Service, (e) removal of power limitations from certain low-power frequencies in the Business Radio Service, and (f) disposition of several petitions for reconsideration filed in Dockets 11991 and 11994. In the first report and order, we announced that we are reexamining the allocation structure in the 450-470 Mc/s band, so that this notice deals with a number of issues in addition to those listed above. However, the matter of fixed operations in the 150.8-160 Mc/s band in the Public Safety Radio Service will not be dealt with here but will be considered within the context of another more pertinent proceeding in the near future.

2. The comments filed in this proceeding in response to our 1960 notice have been considered and they have guided us to some extent in reaching our proposals herein. We have also been guided by our own independent studies of the various issues and we have relied considerably on the reports and recommendations of the various groups of the Advisory Committee for the Land Mobile Radio Services (ACLMRS), although these reports have not yet been submitted formally to the Commission. Among other things, we have made a study of the frequency assignments in the 450-470 Mc/s band in the 15 largest metropolitan areas, as well as nationwide, for each service and the results have been taken into account in determining our proposals. Thus, on the basis of all the information available to us, we propose to dispose of the frequency spectrum allocated to the Public Safety, Industrial, Land Transportation, and Citizens Radio Services in the 450-470 Mc/s band in the manner described below.

METHODS OF FREQUENCY ASSIGNMENT: PAIRING, SEPARATION BETWEEN BASE AND MOBILE FREQUENCIES, SINGLE-FREQUENCY OPERATIONS

3. In the notice we had proposed to designate a number of frequencies in the 460-470 Mc/s band for single-frequency base-mobile operations and the remainder for two-frequency operations with separate frequencies designated for base stations and mobile stations in a fixed pairing arrangement. The separation would not have been uniform throughout the band 450-470 Mc/s. However, a

²By order released May 17, 1967 (FCC 67-586) existing stations and stations to be authorized prior to Nov. 1, 1967, were permitted to continue to operate with ± 15 kc/s deviation until further order from the Commission. The new deviation of ± 5 kc/s will be required in all stations in these services in the 450-470 Mc/s band authorized on or after Nov. 1, 1967, and all stations would be required to reduce the deviation to ± 5 kc/s by the same date the new (split) frequencies become available (see paragraph 30 infra).

number of the comments filed suggested uniform pairing and Working Group 8, Technical Standing Committee, ACLMRS, which considered the feasibility of splitting the channels in the 450-470 Mc/s band, recommended uniform 5 Mc/s separation between base and mobile frequencies. The ACLMRS group stated that uniformity in pairing of frequencies is desirable because, among other things, it would provide simplification and convenience in design of equipment, including duplexers and antennas. Accordingly, the allocation proposals contained in the attached appendix have been designed for uniform 5 Mc/s pairing of the frequencies.

4. In addition, the Commission is considering a uniform separation of 10 Mc/s between base and mobile frequencies. This consideration stems from the fact that a persistent and troublesome source of harmful interference in the land mobile service occurs as a result of what is known generally as intermodulation (IM) interference. This type of interference may become a controlling factor wherever a number of base stations, transmitters and receivers, operate in close proximity to each other, i.e., on the same or immediately adjacent roof tops, mountain peaks, etc. Under such conditions, strong signals from adjacent transmitters may interact with each other in the receiver of a neighboring base station to produce interfering signals on other frequencies including that of the mobile station being received. The severity of intermodulation interference is dependent upon a number of factors, including the number and proximity of radio transmitters in a particular location, the effective radiated power of the neighboring transmitters as well as the strength of the desired signal, the degree of frequency separation between the mobile and base signals and the rf selectivity of the receivers.

4a. Because of the great and growing demand for land mobile service in population centers in the 450-470 Mc/s band, the economic advantage of shared antenna sites and the rather limited availability of choice sites in any given area, the trend in heavily populated regions has been to collate at the most desirable points numerous transmitting and receiving equipments serving essentially the same area. As the new "split" channels are implemented in the 450-470 Mc/s band, the number of operations concentrated in these areas in that band can be expected to increase greatly, and consideration must be given now to the conditions which will face all users in this band when the existing and new channels are heavily loaded in the future. At that time, any measures taken now to prevent interference will benefit not only new users but present users as well by avoiding unnecessary impairment of their valuable communication capabilities. If current trends in the assignment and use of these channels prevail, doubling present loading per megacycle will increase the probability of harmful interference from intermodulation to about eight times what now exists in that band.

Theoretically, of course, interference potential would continue to increase exponentially with further growth in the utilization of this band. On the other hand, if the separation between base and mobile channels were increased to 10 Mc/s, twice what now exists in the 450-460 Mc/s band, the probability of intermodulation interference occurring would be reduced to about one third of what it would be with only 5 Mc/s separation. Such preventive action taken now while the band is comparatively lightly loaded, could result in considerable saving in the number, cost, and inconvenience of remedial measures (filters, cavities, etc.) needed as the loading increases. Full duplex operation such as that employed in the Domestic Public Land Mobile Radio Service in this band would be facilitated and made less costly by increasing to 10 Mc/s the separation between base and mobile frequencies. It would serve also to reduce the stringency of future coordination within and between radio services and on more precise and costly engineering and equipment design. However, improvement in these areas is always welcome and desirable in the interest of better overall frequency utilization.

5. On the other hand, implementation of an assignment plan based on 10 Mc/s separation would be more difficult than implementation of the allocation plan proposed herein. Under our proposal (which would retain the now standard 5 Mc/s separation in the 450-460 Mc/s band and would require the same for the 460-470 Mc/s band), few changes would be required in the lower half and approximately half of the crystals in existing equipment in the upper half of the band would require changing. Also, under the proposed assignment plan, the new 25 kc/s channels will be made available for assignment shortly after the conclusion of this proceeding.

6. If 10 Mc/s separation is adopted, nearly all existing systems would be affected because of the need to concentrate all base stations in one-half of the band (upper or lower 10 Mc/s) and all mobile stations in the other. In view thereof, it is estimated that two to three times as many existing stations would be required to change frequencies, modify transmitters, receivers, and antenna designs than under the allocation plan proposed herein. Also, because it is not desirable to operate base stations and mobile stations on the same or adjacent frequencies, there would be a delay in making the new frequencies available until a step-by-step process of frequency changes is at least partially implemented. The change-over process could begin approximately 6 months after this proceeding is terminated (when some new frequencies would become available) and could be completed in steps over a period of 1 to 3 years or more depending upon how expeditiously licensees can accomplish the necessary adjustments. It is estimated that it would cost substantially more to implement the 10 Mc/s separation plan than to implement the 5 Mc/s separation plan proposed here. Finally, the 10 Mc/s

plan as contrasted with the 5 Mc/s plan may create additional problems of coordination of frequencies in this band with Canada because U.S. licensee priorities on changed frequencies along the border could be lost and the ability of existing U.S. licensees to find unoccupied new frequencies could be difficult, especially in metropolitan areas near the border.

7. Although the Commission is showing in this proposal mobile receiving and transmitting frequencies with 5 Mc/s separation, we want to give serious consideration to the possibility that 10 Mc/s separation may result in significant advantages in the elimination of serious intermodulation difficulties that will arise when the occupancy of this band becomes heavy. For this reason we want the industry to give detailed engineering consideration to this matter and to furnish us with the information necessary to help us reach the best possible decision. If the Commission concludes that 10 Mc/s separation should be required, the allocation structure of the entire band would be changed to conform to this plan, although such decision would not affect the number of channels to be allocated to the various services.

8. As indicated above, we propose to allocate nearly all of the frequency space in the 450-470 Mc/s band now available under Parts 83, 91, 93, and 95 of our rules for two-frequency operations, the frequencies in each pair to be separated by exactly 5 Mc/s. Single-frequency operation, where both the mobile units and the base station are on the same frequency, would be authorized on the frequencies designated for base/mobile use. Base stations, however, would not be authorized on mobile only frequencies. The rules in some of the Public Safety Radio Services now permit base station operations on mobile only frequencies on a secondary basis under certain circumstances. These rules would be amended to remove this provision, and existing base systems would be required to move to base/mobile frequencies by the end of the amortization period proposed herein (see paragraph 37 below).

9. Exceptions to our two-frequency assignment pattern proposal would be provided in the following situations: (a) In the Automobile Emergency Radio Service, where the rules now make available two-frequency pairs in the 450-460 Mc/s band for two-frequency systems, it appears that single-frequency systems would be more compatible with the communication needs of automobile clubs—essentially for dispatching road emergency vehicles. During the past year, the Commission considered petitions filed by automobile clubs operating in New York City, San Francisco, and Northern New Jersey requesting waiver of our rules to permit establishment of single-frequency stations on mobile only frequencies. These petitions indicated that in the Automobile Radio Service single-frequency operations permit a more efficient use of the available frequencies. Accordingly, we propose to allocate four frequencies to this service, among the

group of frequencies designated for base/mobile use, for single-frequency base/mobile systems. (b) Another exception relates to seven frequencies to be allocated in the Business Radio Service for single-frequency low-power use. These frequencies would be assigned to mobile stations that may be used to provide the functions of base or fixed stations with the distance between control point and antenna subject to the provisions of § 91.554(b) (13) of the rules.

STATUS OF NEW FREQUENCIES, COORDINATION REQUIREMENTS

10. The 1960 notice proposed to make the new (split) frequencies available on a "secondary" basis and to require coordination not only with cochannel but also with adjacent channel licensees within a 75-mile radius from the proposed base station. Although some of the comments supported the coordination proposal, it does not appear that special coordination requirements for the new frequencies are necessary nor that secondary status should be given to the new frequencies. The technical standards recommended by the ACLMRS group, which were adopted in the first report and order, contemplated same area operations of 450 Mc/s system with 25 kc/s channel separation. Accordingly, all of the new frequencies would be available on a primary basis and no special coordination (other than that now prescribed in the rules) would be required.

FIXED OPERATIONS IN 450-470 Mc/s BAND

11. The original notice proposed to prohibit fixed operation in the 450-470 Mc/s band, except for certain control stations and except in the Citizens Radio Service. The comments generally opposed this proposal and various formulas were suggested for accommodating fixed operations in this band. Accordingly, this matter has been considered thoroughly by the Commission and ACLMRS assigned a special task force to study it (Task Force C-2(2), Frequency Utilization and Administration Standing Committee, ACLMRS). The report of this task force recommends that, except for control stations to be operated on the mobile frequency of the system to be controlled, fixed operations should be permitted only outside a radius of 75 miles from the boundaries of urbanized areas of 200,000 or more population and then only on a noninterference to mobile systems basis. The task force concluded in effect that although the need for frequencies in urban areas for mobile use requires removal of fixed systems, the available frequencies are sufficient for both fixed and mobile uses in rural areas.

12. The ACLMRS group would not limit fixed uses in rural areas to those associated with mobile systems. The group found that, in addition to the need for fixed repeater and control circuits associated with mobile systems, there are needs for purely fixed uses, such as for telemetering and for control of industrial processes, for which the use of the relatively broadband and more sophisticated microwave systems is not

justified because of terrain limitations, narrow channel requirements, as well as for economic reasons. The report of the Task Force has been approved by the Executive Committee of ACLMRS.

13. The ACLMRS group's recommendations appear reasonable and we propose their adoption with some modifications. Fixed operations in the 450-470 Mc/s band would be permitted in all services having access to frequencies in this band under Parts 89, 91, 93, and 95 in areas removed by 100 or more miles from the center of any urbanized areas of 200,000 or more population. The center of these urbanized areas would be determined from the coordinates thereof as set forth in the U.S. Department of Commerce Publication, "Air Line Distance Between Cities in the United States," Special Publication No. 238 (appendix page 226, List of Cities With Positions). Fixed operations would be permitted on a secondary basis and would be permitted on frequencies allocated to services other than that in which the applicant is eligible. Cross-service use of frequencies for fixed operations was suggested by the Central Committee on Communication Facilities of the American Petroleum Institute in its comments in order to make the priority status of mobile operations more enforceable than it has been in the past, where the mobile users and the fixed users of the same frequencies were of a group with common interests. We think that this suggestion has merit and we have adopted it as our proposal.

14. Accordingly, with special exceptions for the Business and Citizens Radio Services, we propose to permit fixed operations in areas that are at least 100 miles from the center of any urbanized area of 200,000 or more population on frequencies allocated to services governed by the parts of the rules other than that under which the system is licensed. Thus, Public Safety licensees would be permitted to use Land Transportation and Industrial frequencies, Industrial licensees would use Public Safety and Land Transportation, and so on. Applications for fixed systems would be required to be coordinated within the service to which the frequency requested is primarily allocated. Thus, a Forest Products applicant wishing to use a police frequency would coordinate his selection with the appropriate police coordinating committee.

15. Business and Citizens Radio Service frequencies would not be available for fixed operation to other services, on the basis described above, because of the lack of coordination in those services. Conversely, Business and Citizens licensees would not have access to the frequencies allocated to other services. However, Business licensees would be permitted to conduct fixed operations outside urbanized areas on their own frequencies designated for that purpose, and Citizens licensees would have access for fixed operations to their frequencies also outside urbanized areas.

16. In all cases, fixed installations will be limited to a maximum of two frequen-

cies per system. This will preclude the installation of multiple hop, multiple frequency point-to-point systems that should be accommodated in appropriate microwave frequency bands.

17. The designation of frequencies for mobile only use will prevent the mixture of high-power base stations and mobile units of a two-frequency system. To maintain this objective and to limit the interference potential of control stations, we are proposing to authorize them in urbanized areas only on mobile frequencies and limit their power and antenna height to a maximum of 30 watts of effective radiated power (ERP) with a directional antenna the height of which does not exceed 20 feet above ground. (See paragraph 33 concerning the antenna height/power problem.)

18. Licensees operating fixed systems within urbanized areas of 200,000 population or more will be required to discontinue operations by the end of the amortization period proposed herein (see paragraph 37). However, existing systems outside such urbanized areas not conforming with the proposed rule discussed above will be permitted to continue subject to causing no harmful interference to mobile systems.

FREQUENCY ALLOCATIONS

19. In the 1960 notice, we proposed to allocate the frequencies in the 450-460 Mc/s band substantially as follows: In the 450-460 Mc/s portion of the band the new (split) frequencies were to be allocated to the same radio service from whose frequencies they were to be derived. Thus, no major reallocation in this portion of the band was proposed. The 460-470 Mc/s portion, however, would have been revised considerably. Eighty-one pairs would go to Business, 31 pairs and 41 single frequencies would go to Class A Citizens stations, 20 pairs to the Land Transportation Services, 10 pairs to the proposed Industrial Protection Radio Service, 10 pairs to the proposed Aviation Terminal Radio Service (in both cases on shared basis with the Rural Radio Service), 10 pairs to the Manufacturers Radio Service (only the frequencies now allocated to it), five pairs to Telephone Maintenance, and five pairs to the Special Industrial Radio Service (in both cases the split frequencies derived from the Manufacturers frequencies).

20. The comments on these proposals varied considerably. For example, some comments questioned the need for 10 exclusive pairs to the proposed Industrial Protection Radio Service, some suggested more frequencies for the Business Radio Service, and the Special Industrial Radio Service Association argued that the proposed five pairs would be inadequate to meet the needs of the Special Industrial Radio Service. We have considered all of the comments and, as we mentioned above, we have conducted our own studies and have received much information concerning the needs of the various services. From all of the information available to us, it is apparent that the situation now is much different than that obtaining in 1960 when these proposals

were made. Thus, we have reexamined the allocation structure of the entire 450-470 Mc/s band available under Parts 89, 91, 93, and 95 and are proposing a reallocation plan which seems to us consistent with today's requirements and with the future needs of the various services as they now appear.

21. In reaching the proposed allocations herein, we have sought to achieve a number of objectives. First, we seek to provide additional frequencies to relieve congestion in the services where it is most prevalent. Second, we propose to allocate a number of frequencies to the higher priority services to meet existing needs and to permit modest expansion in the near future. Third, we seek to implement the first phase of a sharing arrangement involving a number of frequencies and a number of services consistent with the existing regulatory framework and existing procedures for frequency coordination. Fourth, we propose to achieve some uniformity of usage and to assure that the frequency spectrum in this region is used in accordance to the latest practicable technical standards. Finally, where reallocations were necessary, they would be made in such manner as to require moving as few of existing operations from the frequencies they now occupy as possible. In accordance with these objectives, and on the basis of our best judgment of the current situation, we propose to allocate the available frequencies in the 450-470 Mc/s band in the Public Safety, Industrial, Land Transportation and Citizens Radio Services as follows:

22. Industrial Radio Services.

Power Radio Service, eight pairs.
Petroleum/Forest Products Radio Service, five pairs.
Telephone Maintenance, six pairs.
Special Industrial, 15 pairs.
Relay Press, two pairs.
Manufacturers Radio Service, 14 pairs.
Business Radio Service, 160 channels, including 149 pairs, four single frequencies for paging and seven frequencies for low-power use. This total includes 10 pairs of frequencies for the exclusive use of the airline industry at the major airports, and five pairs for the exclusive use of the industrial protection industry in the 20 largest urban centers.
Shared pool, 10 pairs.

(To be shared by Power, Petroleum, Forest Products, Telephone Maintenance, Manufacturers, and Relay Press Radio Services.)

Public Safety Radio Services.

Local Government (Pool), 35 pairs.
Police Radio Service, 20 pairs.
Fire Radio Service, five pairs.
Reserved for possible future use for highway safety communications, four pairs.

Land Transportation Radio Services.

Taxicab, 12 pairs.
Motor Carrier, eight pairs.
Auto Emergency, four frequencies.
Railroad, three pairs (two to be designated for control of slave locomotives).

Shared Pool.

Seven pairs. (To be shared by Motor Carrier, Railroad, and Taxicab Radio Services.)

Citizens Radio Service.

Class A Stations, eight pairs.
Class B Stations, none.

23. The table above contains our allocation proposal in summary form. The specific frequency allocations and some of the detailed proposed limitations on those frequencies are outlined in the attached appendix. The specific proposals are self-explanatory. However, additional explanation with respect to some of them is appropriate.

24. *Class B Citizens stations.* Class B stations are authorized to occupy a frequency spectrum centered at 465 Mc/s now allocated to the Citizens and Business Radio Services. Thus, the Class B station is a low-power overlay involving about 4.95 Mc/s of spectrum. Faced with additional demands for spectrum and increasingly stringent technical standards for land mobile equipment, continuance of the Class B category of Citizens Radio Stations cannot be justified. Accordingly, we proposed to discontinue authorizing Class B stations on the effective date of the rules herein proposed. Existing Class B operations will be required to discontinue operation at the end of the amortization period proposed herein (see paragraph 37 below).

25. *Class A Citizens stations.* Class A stations in the Citizens Radio Service now occupy a substantial portion of the 460-470 Mc/s band. Approximately 6,000 Class A station authorizations are outstanding. These stations are required to meet the same technical standards as stations authorized in the land mobile services governed by Parts 89, 91, and 93 of the rules, and must use equipment type-accepted for use in these services. Indeed, the same application form, FCC Form 400, is used in applying for a Class A station authorization as is used in the other services. Furthermore, although eligibility for Class A stations is broader than that for the Business Radio Service, the overwhelming majority of Class A licensees could establish eligibility in some other radio service, notably the Business Radio Service. On the other hand, Class A stations may be used for fixed operations without any limitations and a number of other limitations now imposed on other land mobile stations do not apply to them. Thus, a substantial number of Class A stations are fixed stations and many are used for remote control, telemetering, and other tone signaling types of operations. Thus, many Class A stations are now authorized for other than base/mobile operations. Although these operations may be important, the need for frequencies for essential mobile communications is becoming critical, especially in the metropolitan areas and retention of a large number of frequencies for nonmobile operations can no longer be justified. Accordingly, we have proposed to limit Class A Citizens to eight pairs of frequencies to accommodate those persons who cannot establish eligibility for base/mobile systems in other services. Existing Class A station licensees would be required either to amortize their equipment

or to license their systems on appropriate frequencies in another radio service by the end of the amortization period proposed herein (see paragraph 37).

26. *Aviation Terminal Radio Service.* In the 1960 notice, we proposed to establish a new radio service and to allocate 10 pairs of frequencies to accommodate land mobile operation on airports. Informally, the airline industry has suggested recently that we allocate 20 pairs for that purpose. We have considered the industry's latest suggestion and it seems that 20 pairs would be desirable for high quality service in the few largest airports. However, the available spectrum is limited—certainly not enough to accommodate all needs—and, therefore, no increase in the allocations for the airline industry is proposed. We propose to authorize airport terminal operations of commercial airlines on 10 pairs of frequencies which would be designated exclusively for that purpose on the 20 largest urban centers of the country. These are the first 20 cities ranked by population according to the 1960 census. Of course, the airline industry will continue to have access to all of the Business frequencies for operations at airports in smaller urban centers as well as to supplement their frequency needs in the larger airports.

27. *Industrial Protection Radio Service.* We also proposed to establish another radio service and to allocate 10 pairs of frequencies to accommodate the central station protection industry. However, it does not seem necessary to allocate all of the 10 frequencies for that purpose. In the comments filed in this proceeding, the industry indicated that it needs five pairs for land mobile operation and five pairs for fixed operations. In view of the urgent need for frequencies for mobile operations in the larger urban areas, allocation of frequencies for fixed operations within large cities cannot be justified. Furthermore, since the 1960 notice in this proceeding was issued, frequencies for fixed operation for the protection industry have been made available in the 952-960 Mc/s band and the industry has conducted developmental operations therein with apparent success. In fact, the industry's petition (RMM-798) indicates that its needs for radio fixed circuits for alarms may be satisfied in the 952-960 Mc/s band. Accordingly, we propose to designate five pairs of frequencies in the 460-470 Mc/s band for the exclusive use of the central station protection industry, again within the 20 largest cities ranked by population according to the 1960 census. The central station protection industry would have access to all of the frequencies available in the Business Radio Service to supplement its requirements.

28. The 1960 notice proposed the shared use of the 20 pairs of frequencies proposed primarily for air terminal and industrial protection purposes by the Domestic Public Rural Radio Service. However, it does not now appear that the needs of that Service are such that

cannot be accommodated within the frequencies allocated to the Domestic Public Radio Service. Accordingly, outside the largest 20 urban centers, the frequencies proposed for aviation terminal and industrial protection use would be available generally in the Business Radio Service.

29. As we mentioned above, in reaching our proposals we have attempted to provide for as much sharing of the frequencies as it is possible. This has been done by allocating a major portion of the new 25 kc/s frequencies to the Business Radio Service where its nearly open ended eligibility provision would provide wide access to those frequencies; by creating frequency pools in the Industrial and Land Transportation Radio Services, by allocating a substantial number of channels to the Local Government Radio Service, to which nearly all State and local governmental entities have access (all of the frequencies derived from the Public Safety block), and by providing interservice sharing of frequencies for fixed operation outside urban areas. These proposals are in accord with the recommendations contained in the report of the ACLMRS group (Working Group 2, Frequency Utilization and Administration Committee, ACLMRS) which studied the feasibility of more efficient use of the land mobile frequencies through greater sharing. This group has recommended co-channel, same area, sharing on all private-land mobile frequencies. These recommendations will be considered further, and additional sharing may be proposed in further proceedings.

30. The pool frequencies in the Industrial and Land Transportation Radio Services would become available for assignment when all of the 450-470 Mc/s frequencies allocated to a service are in use within 35 miles of a proposed new station and upon frequency coordination with all services having access to such pool frequency.

31. Four channels from the Public Safety block would be reserved for possible use in connection with a highway safety communications system that may develop. However, this proposal is not to be construed as indicating any kind of a decision by the Commission with respect to the highway safety matter. This problem is the subject of a formal inquiry in Docket 17049 and the determinations on this matter would be made in connection with that proceeding. The proposed reservation would insure availability of unused frequencies in the event that a communications system to be operated in this region of the spectrum is adopted.

32. A substantial number of new channels (20) would be allocated to the Police Radio Service in the 460-470 Mc/s band. Those frequencies are proposed because of the urgent needs of police departments, especially in the larger metropolitan areas, to expand and modernize their radio systems. Frequencies in this region of the spectrum are well suited for urban radio communications, and we hope that large police departments would establish their systems on those frequencies freeing 150-162 Mc/s frequencies for suburban use.

33. A substantial number of Business frequencies have been designated for "local area" operations. The purpose of this proposal is to assure greater usage of frequencies by limiting the coverage potential of stations on those frequencies, thus permitting their closer duplication and at the same time assuring cochannel same area users of relatively similar interference potential with other stations. Accordingly, we have proposed to limit power on these frequencies to 180 watts input, the height of the antenna to 100 feet above ground level, and remote control of base station would be permitted only within one-half mile from the transmitter location. However, we recognize that such a limitation raises problems among users who have various terrain or other problems with which to contend. Comments are invited concerning the most effective method of equalizing the antenna height/power relationship between licensees in a common area.

34. The four frequencies proposed for paging would augment the frequencies allocated for that purpose in the 150-162 Mc/s band in Docket 16777.

"ITINERANT" AND "PERMANENT" USE FREQUENCIES, AREA OF OPERATIONS OF MOBILE UNITS

35. The attached appendix contains more precise rules with respect to the use of "permanent use" frequencies to the effect that they will be assigned for communications in connection with operations with the two-way range of a base/mobile system, the range to be determined on the basis of propagation curves contained in FCC Technical Report R-6406 dated June 24, 1964. Similarly, a more definitive rule is proposed for the use of itinerant frequencies. See footnote 14, in the appendix. With respect to the area of operation of mobile units in a mobile station authorization, it is proposed to require applicants to show on their applications that area where the licensee's mobile units may be expected to operate on a day-to-day basis as distinguished from occasional trips. With respect to mobile stations, comments are requested as to the most effective method of providing data which would usefully be incorporated into the computer program, concerning areas of operation, to provide for future computer studies and possible machine assisted application processing and frequency selection.

EFFECTIVE DATE OF PROPOSED RULES, TRANSITION PERIOD

36. All of the new (split) frequencies would become available on the effective date of the proposed rules. This date would be 90 days after the date on which the proposed rules are published in the FEDERAL REGISTER, rather than the customary 30 days, in order to give sufficient opportunity to existing licensees to reduce the deviation of their transmitters to ± 5 kc/s. Only new systems conforming with the new rules would be authorized on or after that date.

37. The proposed rules would require a number of existing licensees either to discontinue operations (such as Class B licensees or licensees of fixed systems in urban areas) or to change frequencies

(such as those whose frequencies would be reallocated to others or those who must change frequencies to achieve uniform 5 Mc/s spacing between their base and mobile frequencies). Normally, a 5-year amortization period has been given in the past. However, because of the critical need for frequencies, especially in the metropolitan areas, it is necessary to make the frequencies in this band available for normal base/mobile operations as soon as possible. Also, existing licensees (except Citizens Class B licensees) must modify their equipment to comply with the new technical standards by November 1, 1971 (First Report and Order, FCC 66-1084). Accordingly, we propose to require all existing licensees to comply with all of the provisions of the proposed rules by November 1, 1971. During this transition period, no new systems would be authorized on the existing frequencies in the 460-470 Mc/s band allocated to the Business Radio Service in order to avoid compounding the existing problem caused by the lack of standardized pairing between base and mobile frequencies in that service.

38. Authority for the proposed amendments is contained in sections 4(i) and 303 of the Communications Act of 1934, as amended.

39. Pursuant to the applicable procedures set forth in § 1.415 of the Commission's rules, comments are invited by November 3, 1967, from the Electronic Industries Association, Joint Technical Advisory Committee, and others specifically concerning the advantages and disadvantages to be gained from either 5 or 10 Mc/s separation between base and mobile allocations in the 450-470 Mc/s band. Other comments from interested parties are invited on or before December 4, 1967. Reply comments may be filed on or before January 5, 1968. All relevant and timely comments will be considered by the Commission before final action is taken in the proceeding. In reaching its decision in the proceeding, the Commission may also take into account other relevant information before it, in addition to specific comments invited by this notice. In view of the Commission's desire to provide effective frequency relief for the land mobile service as expeditiously as possible, requests for extension of time for filing comments will not be granted except in those circumstances where it can be shown the delay will result in submission of information having a material impact on the Commission's decision.

40. In accordance with the provisions of § 1.419 of the Commission's rules and regulations, an original and 14 copies of all statements, briefs, and comments filed should be furnished the Commission.

Adopted: September 22, 1967.

Released: September 29, 1967.

FEDERAL COMMUNICATIONS
COMMISSION,²

[SEAL] BEN F. WAPLE,
Secretary.

² Concurring statement of Commissioner Johnson filed as part of the original document. Commissioners Bartley, Lee, and Wadsworth absent.

PROPOSED RULE MAKING

Frequency or band	Radio service	Class of station(s)	Limitations	General reference
453.150.....	Local Government.....	Base and mobile.....	8, 16	
453.175.....	Reserved.....	do.....	8, 16	
453.200.....	Local Government.....	do.....	8, 16	
453.225.....	do.....	do.....	8, 16	
453.250.....	do.....	do.....	8, 16	
453.275.....	do.....	do.....	8, 16	
453.300.....	do.....	do.....	8, 16	
453.325.....	do.....	do.....	8, 16	
453.350.....	do.....	do.....	8, 16	
453.375.....	do.....	do.....	8, 16	
453.400.....	do.....	do.....	8, 16	
453.425.....	do.....	do.....	8, 16	
453.450.....	do.....	do.....	8, 16	
453.475.....	do.....	do.....	8, 16	
453.500.....	do.....	do.....	8, 16	
453.525.....	do.....	do.....	8, 16	
453.550.....	do.....	do.....	8, 16	
453.575.....	do.....	do.....	8, 16	
453.600.....	do.....	do.....	8, 16	
453.625.....	do.....	do.....	8, 16	
453.650.....	do.....	do.....	8, 16	
453.675.....	do.....	do.....	8, 16	
453.700.....	do.....	do.....	8, 16	
453.725.....	do.....	do.....	8, 16	
453.750.....	do.....	do.....	8, 16	
453.775.....	do.....	do.....	8, 16	
453.800.....	do.....	do.....	8, 16	
453.825.....	do.....	do.....	8, 16	
453.850.....	do.....	do.....	8, 16	
453.875.....	do.....	do.....	8, 16	
453.900.....	do.....	do.....	8, 16	
453.925.....	do.....	do.....	8, 16	
453.950.....	do.....	do.....	8, 16	
453.975.....	do.....	do.....	8, 16	
454.000.....	Power.....	Mobile only.....	1, 10	
454.025.....	do.....	do.....	1, 10	
454.050.....	do.....	do.....	1, 10	
454.075.....	do.....	do.....	1, 10	
454.100.....	do.....	Mobile.....	1, 10	
454.125.....	do.....	do.....	1, 10	
454.150.....	do.....	do.....	1, 10	
454.175.....	Industrial Pool.....	do.....	1, 10	Permanent use.
454.200.....	Power.....	do.....	1, 2, 10, 13	
454.225.....	do.....	do.....	1, 10	
454.250.....	Industrial Pool.....	do.....	1, 2, 10, 13	Do.
454.275.....	do.....	do.....	1, 10	
454.300.....	Power.....	do.....	1, 2, 10, 13	Do.
454.325.....	do.....	do.....	1, 10, 24	
454.350.....	Telephone Maintenance.....	do.....	1, 10, 24	
454.375.....	do.....	do.....	1, 10, 24	
454.400.....	Telephone Maintenance.....	do.....	1, 10, 13	Do.
454.425.....	do.....	do.....	1, 10, 13	Do.
454.450.....	Petroleum, Forest Products.....	do.....	1, 10, 13	Do.
454.475.....	Petroleum, Forest Products.....	do.....	1, 10	Do.
454.500.....	Petroleum, Forest Products.....	do.....	1, 10	Do.
454.525.....	Petroleum, Forest Products.....	do.....	1, 10, 13	Do.
454.550.....	Petroleum, Forest Products.....	do.....	1, 10, 13	Do.
454.575.....	Petroleum, Forest Products.....	do.....	1, 10, 13	Do.
454.600.....	Petroleum, Forest Products.....	do.....	1, 10, 13	Do.
454.625.....	Petroleum, Forest Products.....	do.....	1, 10, 13	Do.
454.650.....	Petroleum, Forest Products.....	do.....	1, 10, 13	Do.
454.675.....	Petroleum, Forest Products.....	do.....	1, 10, 13	Do.
454.700.....	do.....	do.....	1, 10, 13	Do.
454.725.....	do.....	do.....	1, 10, 13	Do.
454.750.....	do.....	do.....	1, 10, 13	Do.
454.775.....	do.....	do.....	1, 10, 13	Do.
454.800.....	do.....	do.....	1, 10, 13	Do.
454.825.....	do.....	do.....	1, 10, 13	Do.
454.850.....	do.....	do.....	1, 10, 13	Do.
454.875.....	do.....	do.....	1, 10, 13	Do.
454.900.....	do.....	do.....	1, 10, 13	Do.
454.925.....	do.....	do.....	1, 10, 13	Do.
454.950.....	do.....	do.....	1, 10, 13	Do.
454.975.....	do.....	do.....	1, 10, 13	Do.
455.000.....	do.....	do.....	1, 10, 13	Do.
455.025.....	do.....	do.....	1, 10, 13	Do.
455.050.....	do.....	do.....	1, 10, 13	Do.
455.075.....	do.....	do.....	1, 10, 13	Do.
455.100.....	do.....	do.....	1, 10, 13	Do.
455.125.....	do.....	do.....	1, 10, 13	Do.
455.150.....	do.....	do.....	1, 10, 13	Do.
455.175.....	do.....	do.....	1, 10, 13	Do.
455.200.....	do.....	do.....	1, 10, 13	Do.
455.225.....	do.....	do.....	1, 10, 13	Do.
455.250.....	do.....	do.....	1, 10, 13	Do.
455.275.....	do.....	do.....	1, 10, 13	Do.
455.300.....	do.....	do.....	1, 10, 13	Do.
455.325.....	do.....	do.....	1, 10, 13	Do.
455.350.....	do.....	do.....	1, 10, 13	Do.
455.375.....	do.....	do.....	1, 10, 13	Do.
455.400.....	do.....	do.....	1, 10, 13	Do.
455.425.....	do.....	do.....	1, 10, 13	Do.
455.450.....	do.....	do.....	1, 10, 13	Do.
455.475.....	do.....	do.....	1, 10, 13	Do.
455.500.....	do.....	do.....	1, 10, 13	Do.
455.525.....	do.....	do.....	1, 10, 13	Do.
455.550.....	do.....	do.....	1, 10, 13	Do.
455.575.....	do.....	do.....	1, 10, 13	Do.
455.600.....	do.....	do.....	1, 10, 13	Do.
455.625.....	do.....	do.....	1, 10, 13	Do.
455.650.....	do.....	do.....	1, 10, 13	Do.
455.675.....	do.....	do.....	1, 10, 13	Do.
455.700.....	do.....	do.....	1, 10, 13	Do.
455.725.....	do.....	do.....	1, 10, 13	Do.
455.750.....	do.....	do.....	1, 10, 13	Do.
455.775.....	do.....	do.....	1, 10, 13	Do.
455.800.....	do.....	do.....	1, 10, 13	Do.
455.825.....	do.....	do.....	1, 10, 13	Do.
455.850.....	do.....	do.....	1, 10, 13	Do.
455.875.....	do.....	do.....	1, 10, 13	Do.
455.900.....	do.....	do.....	1, 10, 13	Do.
455.925.....	do.....	do.....	1, 10, 13	Do.
455.950.....	do.....	do.....	1, 10, 13	Do.
455.975.....	do.....	do.....	1, 10, 13	Do.
456.000.....	do.....	do.....	1, 10, 13	Do.
456.025.....	do.....	do.....	1, 10, 13	Do.
456.050.....	do.....	do.....	1, 10, 13	Do.
456.075.....	do.....	do.....	1, 10, 13	Do.
456.100.....	do.....	do.....	1, 10, 13	Do.
456.125.....	do.....	do.....	1, 10, 13	Do.
456.150.....	do.....	do.....	1, 10, 13	Do.
456.175.....	do.....	do.....	1, 10, 13	Do.
456.200.....	do.....	do.....	1, 10, 13	Do.
456.225.....	do.....	do.....	1, 10, 13	Do.
456.250.....	do.....	do.....	1, 10, 13	Do.
456.275.....	do.....	do.....	1, 10, 13	Do.
456.300.....	do.....	do.....	1, 10, 13	Do.
456.325.....	do.....	do.....	1, 10, 13	Do.
456.350.....	do.....	do.....	1, 10, 13	Do.
456.375.....	do.....	do.....	1, 10, 13	Do.
456.400.....	do.....	do.....	1, 10, 13	Do.
456.425.....	do.....	do.....	1, 10, 13	Do.
456.450.....	do.....	do.....	1, 10, 13	Do.
456.475.....	do.....	do.....	1, 10, 13	Do.
456.500.....	do.....	do.....	1, 10, 13	Do.
456.525.....	do.....	do.....	1, 10, 13	Do.
456.550.....	do.....	do.....	1, 10, 13	Do.
456.575.....	do.....	do.....	1, 10, 13	Do.
456.600.....	do.....	do.....	1, 10, 13	Do.
456.625.....	do.....	do.....	1, 10, 13	Do.
456.650.....	do.....	do.....	1, 10, 13	Do.
456.675.....	do.....	do.....	1, 10, 13	Do.
456.700.....	do.....	do.....	1, 10, 13	Do.
456.725.....	do.....	do.....	1, 10, 13	Do.
456.750.....	do.....	do.....	1, 10, 13	Do.
456.775.....	do.....	do.....	1, 10, 13	Do.
456.800.....	do.....	do.....	1, 10, 13	Do.
456.825.....	do.....	do.....	1, 10, 13	Do.
456.850.....	do.....	do.....	1, 10, 13	Do.
456.875.....	do.....	do.....	1, 10, 13	Do.
456.900.....	do.....	do.....	1, 10, 13	Do.
456.925.....	do.....	do.....	1, 10, 13	Do.
456.950.....	do.....	do.....	1, 10, 13	Do.
456.975.....	do.....	do.....	1, 10, 13	Do.
457.000.....	do.....	do.....	1, 10, 13	Do.
457.025.....	do.....	do.....	1, 10, 13	Do.
457.050.....	do.....	do.....	1, 10, 13	Do.
457.075.....	do.....	do.....	1, 10, 13	Do.
457.100.....	do.....	do.....	1, 10, 13	Do.
457.125.....	do.....	do.....	1, 10, 13	Do.
457.150.....	do.....	do.....	1, 10, 13	Do.
457.175.....	do.....	do.....	1, 10, 13	Do.
457.200.....	do.....	do.....	1, 10, 13	Do.
457.225.....	do.....	do.....	1, 10, 13	Do.
457.250.....	do.....	do.....	1, 10, 13	Do.
457.275.....	do.....	do.....	1, 10, 13	Do.
457.300.....	do.....	do.....	1, 10, 13	Do.
457.325.....	do.....	do.....	1, 10, 13	Do.
457.350.....	do.....	do.....	1, 10, 13	Do.
457.375.....	do.....	do.....	1, 10, 13	Do.
457.400.....	do.....	do.....	1, 10, 13	Do.
457.425.....	do.....	do.....	1, 10, 13	Do.
457.450.....	do.....	do.....	1, 10, 13	Do.
457.475.....	do.....	do.....	1, 10, 13	Do.
457.500.....	do.....	do.....	1, 10, 13	Do.
457.525.....	do.....	do.....	1, 10, 13	Do.
457.550.....	do.....	do.....	1, 10, 13	Do.
457.575.....	do.....	do.....	1, 10, 13	Do.
457.600.....	do.....	do.....	1, 10, 13	Do.
457.625.....	do.....	do.....	1, 10, 13	Do.
457.650.....	do.....	do.....	1, 10, 13	Do.
457.675.....	do.....	do.....	1, 10, 13	Do.
457.700.....	do.....	do.....	1, 10, 13	Do.
457.725.....	do.....	do.....	1, 10, 13	Do.
457.750.....	do.....	do.....	1, 10, 13	Do.
457.775.....	do.....	do.....	1, 10, 13	Do.
457.800.....	do.....	do.....	1, 10, 13	Do.
457.825.....	do.....	do.....	1, 10, 13	Do.
457.850.....	do.....	do.....	1, 10, 13	Do.
457.875.....	do.....	do.....	1, 10, 13	Do.
457.900.....	do.....	do.....	1, 10, 13	Do.
457.925.....	do.....	do.....	1, 10, 13	Do.
457.950.....	do.....	do.....	1, 10, 13	Do.
457.975.....	do.....	do.....	1, 10, 13	Do.
458.000.....	do.....	do.....	1, 10, 13	Do.
458.025.....	do.....	do.....	1, 10, 13	Do.
458.050.....	do.....	do.....	1, 10, 13	Do.
458.075.....	do.....	do.....	1, 10, 13	Do.
458.100.....	do.....	do.....	1, 10, 13	Do.
458.125.....	do.....	do.....	1, 10, 13	Do.
458.150.....	do.....	do.....	1, 10, 13	Do.
458.175.....	do.....	do.....	1, 10, 13	Do.
458.200.....	do.....	do.....	1, 10, 13	Do.
458.225.....	do.....	do.....	1, 10, 13	Do.
458.250.....	do.....	do.....	1, 10, 13	Do.
458.275.....	do.....	do.....	1, 10, 13	Do.
458.300.....	do.....	do.....	1, 10, 13	Do.
458.325.....	do.....	do.....	1, 10, 13	Do.
458.350.....	do.....	do.....	1, 10, 13	Do.
458.375.....	do.....	do.....	1, 10, 13	Do.
458.400.....	do.....	do.....	1, 10, 13	Do.
458.425.....	do.....	do.....	1, 10, 13	Do.
458.450.....	do.....	do.....	1, 10, 13	Do.
458.475.....	do.....	do.....	1, 10, 13	Do.
458.500.....	do.....	do.....	1, 10, 13	Do.
458.525.....	do.....	do.....	1, 10, 13	Do.
458.550.....	do.....	do.....	1, 10, 13	Do.
458.575.....	do.....	do.....	1, 10, 13	Do.
458.600.....	do.....	do.....	1, 10, 13	Do.
458.625.....	do.....	do.....	1, 10, 13	Do.
458.650.....	do.....	do.....	1, 10, 13	Do.
458.675.....	do.....	do.....	1, 10, 13	Do.
458.700.....	do.....	do.....	1, 10, 13	Do.
458.725.....	do.....	do.....	1, 10, 13	Do.
458.750.....	do.....	do.....	1, 10, 13	Do.
458.775.....	do.....	do.....	1, 10, 13	Do.
458.800.....	do.....	do.....	1, 10, 13	Do.
458.825.....	do.....	do.....	1, 10, 13	Do.
458.850.....	do.....	do.....	1, 10, 13	Do.
458.875.....	do.....	do.....	1, 10, 13	Do.
458.900.....	do.....	do.....	1, 10, 13	Do.
458.925.....	do.....	do.....	1, 10, 13	Do.
458.950.....	do.....	do.....	1, 10, 13	Do.
458.975.....	do.....	do.....	1, 10, 13	Do.
459.000.....	do.....	do.....	1, 10, 13	Do.
459.025.....	do.....	do.....	1, 10, 13	Do.
459.050.....	do.....	do.....	1, 10, 13	Do.
459.075.....	do.....	do.....	1, 10, 13	Do.
459.100.....	do.....	do.....	1, 10, 13	Do.
459.125.....	do.....	do.....	1, 10, 13	Do.
459.150.....	do.....	do.....	1, 10, 13	Do.
459.175.....	do.....	do.....	1, 10, 13	Do.
459.200.....	do.....	do.....	1, 10, 13	Do.
459.225.....	do.....	do.....	1, 10, 13	Do.
459.250.....	do.....	do.....	1, 10, 13	Do.
459.275.....	do.....	do.....	1, 10, 13	Do.
459.300.....</				

Frequency or band	Radio service	Class of station (g)	Limitations	General reference
400,025	Police	Base and mobile	8, 10, 21	Permanent use.
400,050		do	8, 10, 21	Do.
400,075		do	8, 10, 21	Do.
400,100		do	8, 10, 21	Do.
400,125		do	8, 10, 21	Do.
400,150		do	8, 10, 21	Do.
400,175		do	8, 10, 21	Do.
400,200		do	8, 10, 21	Do.
400,225		do	8, 10, 21	Do.
400,250		do	8, 10, 21	Do.
400,275		do	8, 10, 21	Do.
400,300		do	8, 10, 21	Do.
400,325		do	8, 10, 21	Do.
400,350		do	8, 10, 21	Do.
400,375		do	8, 10, 21	Do.
400,400		do	8, 10, 21	Do.
400,425		do	8, 10, 21	Do.
400,450		do	8, 10, 21	Do.
400,475		do	8, 10, 21	Do.
400,500		do	8, 10, 21	Do.
400,525		do	8, 10, 21	Do.
400,550		do	8, 10, 21	Do.
400,575		do	8, 10, 21	Do.
400,600		do	8, 10, 21	Do.
400,625		do	8, 10, 21	Do.
400,650		do	8, 10, 21	Do.
400,675		do	8, 10, 21	Do.
400,700		do	8, 10, 21	Do.
400,725		do	8, 10, 21	Do.
400,750		do	8, 10, 21	Do.
400,775		do	8, 10, 21	Do.
400,800		do	8, 10, 21	Do.
400,825		do	8, 10, 21	Do.
400,850		do	8, 10, 21	Do.
400,875		do	8, 10, 21	Do.
400,900		do	8, 10, 21	Do.
400,925		do	8, 10, 21	Do.
400,950		do	8, 10, 21	Do.
400,975		do	8, 10, 21	Do.
401,000		do	8, 10, 21	Do.
401,025		do	8, 10, 21	Do.
401,050		do	8, 10, 21	Do.
401,075		do	8, 10, 21	Do.
401,100		do	8, 10, 21	Do.
401,125		do	8, 10, 21	Do.
401,150		do	8, 10, 21	Do.
401,175		do	8, 10, 21	Do.
401,200		do	8, 10, 21	Do.
401,225		do	8, 10, 21	Do.
401,250		do	8, 10, 21	Do.
401,275		do	8, 10, 21	Do.
401,300		do	8, 10, 21	Do.
401,325		do	8, 10, 21	Do.
401,350		do	8, 10, 21	Do.
401,375		do	8, 10, 21	Do.
401,400		do	8, 10, 21	Do.
401,425		do	8, 10, 21	Do.
401,450		do	8, 10, 21	Do.
401,475		do	8, 10, 21	Do.
401,500		do	8, 10, 21	Do.
401,525		do	8, 10, 21	Do.
401,550		do	8, 10, 21	Do.
401,575		do	8, 10, 21	Do.
401,600		do	8, 10, 21	Do.
401,625		do	8, 10, 21	Do.
401,650		do	8, 10, 21	Do.
401,675		do	8, 10, 21	Do.
401,700		do	8, 10, 21	Do.
401,725		do	8, 10, 21	Do.
401,750		do	8, 10, 21	Do.
401,775		do	8, 10, 21	Do.
401,800		do	8, 10, 21	Do.
401,825		do	8, 10, 21	Do.
401,850		do	8, 10, 21	Do.
401,875		do	8, 10, 21	Do.
401,900		do	8, 10, 21	Do.
401,925		do	8, 10, 21	Do.
401,950		do	8, 10, 21	Do.
401,975		do	8, 10, 21	Do.
402,000		do	8, 10, 21	Do.
402,025		do	8, 10, 21	Do.
402,050		do	8, 10, 21	Do.
402,075		do	8, 10, 21	Do.
402,100		do	8, 10, 21	Do.

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Frequency or band	Radio service	Class of station(s)	Limitations	General reference
400, 275.....	Business.....	Mobile.....	10, 13, 16, 20, 23	Permanent use.
400, 300.....	do.....	do.....	10, 13, 16, 20, 23	Do.
400, 325.....	do.....	do.....	10, 13, 16, 20, 23	Do.
400, 350.....	do.....	do.....	10, 13, 16, 20, 23	Do.
400, 375.....	do.....	do.....	10, 13, 16, 20, 23	Do.
400, 400.....	do.....	do.....	10, 13, 16, 20, 23	Do.
400, 425.....	do.....	do.....	10, 13, 16, 20, 23	Do.
400, 450.....	do.....	do.....	10, 13, 16, 20, 23	Do.
400, 475.....	do.....	do.....	10, 13, 16, 20, 23	Do.
400, 500.....	do.....	do.....	10, 13, 16, 20, 23	Do.
400, 525.....	do.....	do.....	10, 13, 16, 20, 23	Do.
400, 550.....	do.....	do.....	10, 13, 16, 20, 23	Do.
400, 575.....	do.....	do.....	10, 13, 16, 20, 23	Do.
400, 600.....	do.....	do.....	10, 13, 16, 20, 23	Do.
400, 625.....	do.....	do.....	10, 13, 16, 20, 23	Do.
400, 650.....	do.....	do.....	10, 13, 16, 20, 23	Do.
400, 675.....	do.....	do.....	10, 13, 16, 20, 23	Do.
400, 700.....	do.....	do.....	10, 13, 16, 20, 23	Do.
400, 725.....	do.....	do.....	10, 13, 16, 20, 23	Do.
400, 750.....	do.....	do.....	10, 13, 16, 20, 23	Do.
400, 775.....	do.....	do.....	10, 13, 16, 20, 23	Do.
400, 800.....	do.....	do.....	10, 13, 16, 20, 23	Do.
400, 825.....	do.....	do.....	10, 13, 16, 20, 23	Do.
400, 850.....	do.....	do.....	10, 13, 16, 20, 23	Do.
400, 875.....	do.....	do.....	10, 13, 16, 20, 23	Do.
400, 900.....	do.....	do.....	10, 13, 16, 20, 23	Do.
400, 925.....	do.....	do.....	10, 13, 16, 20, 23	Do.
400, 950.....	do.....	do.....	10, 13, 16, 20, 23	Do.
400, 975.....	do.....	do.....	10, 13, 16, 20, 23	Do.

service. A maximum of two frequencies will be assigned to any fixed system.

(4) This frequency is available on a shared basis in the Motor Carrier, Taxicab, and Railroad Radio Service. It may be assigned only when all of the frequencies in the 450-460 Mc/a band allocated to the service in which the applicant is primarily eligible are assigned within 35 miles of the proposed base station. Applications for this frequency must be coordinated with all three services.

(5) This frequency may be assigned only to stations operated by or on behalf of associations of owners of private automobiles.

(6) This frequency may be assigned only to stations used for the purpose of controlling slave locomotives. (A1, A2, F1 or F2 emission.)

(7) Within the boundaries of the 20 largest cities, as ranked in the U.S. Census of Population, 1900, Vol. 1, Table 40, page 8-36, this frequency may be assigned only to persons rendering a central station commercial protection service. Central station commercial protection service is defined as those electrical protection and supervisory services rendered from and by a central station approved by one or more of the recognized rating bureaus and/or the Underwriters' Laboratories, Inc. (UL).

(8) This frequency may be assigned to fixed stations in the industrial (except business) and Land Transportation Radio Services when such stations will be located 100

Frequency or band	Radio service	Class of station(s)	Limitations	General reference
497.575	Manufacturers	Mobile	1, 10, 13, 16, 20	Permanent use.
497.600	do	do	1, 10, 13, 16, 20	Do.
497.625	do	do	1, 10, 13, 16, 20	Do.
497.650	do	do	1, 10, 13, 16, 20	Do.
497.675	do	do	1, 10, 13, 16, 20	Do.
497.700	do	do	1, 10, 13, 16, 20	Do.
497.725	do	do	1, 10, 13, 16, 20	Do.
497.750	Class A Citizens	do	10, 15	
497.775	do	do	10, 15	
497.800	do	do	10, 15	
497.825	do	do	10, 15	
497.850	do	do	10, 15	
497.875	do	do	10, 15	
497.900	do	do	10, 15	
497.925	do	do	10, 15	
497.950	do	do	10, 15	
497.975	do	do	10, 15	
498.000	do	do	10, 15	
498.025	do	do	10, 15	
498.050	do	do	10, 15	
498.075	do	do	10, 15	
498.100	do	do	10, 15	
498.125	do	do	10, 15	
498.150	do	do	10, 15	
498.175	do	do	10, 15	
498.200	do	do	10, 15	
498.225	do	do	10, 15	
498.250	do	do	10, 15	
498.275	do	do	10, 15	
498.300	do	do	10, 15	
498.325	do	do	10, 15	
498.350	do	do	10, 15	
498.375	do	do	10, 15	
498.400	do	do	10, 15	
498.425	do	do	10, 15	
498.450	do	do	10, 15	
498.475	do	do	10, 15	
498.500	do	do	10, 15	
498.525	do	do	10, 15	
498.550	do	do	10, 15	
498.575	do	do	10, 15	
498.600	do	do	10, 15	
498.625	do	do	10, 15	
498.650	do	do	10, 15	
498.675	do	do	10, 15	
498.700	do	do	10, 15	
498.725	do	do	10, 15	
498.750	do	do	10, 15	
498.775	do	do	10, 15	
498.800	do	do	10, 15	
498.825	do	do	10, 15	
498.850	do	do	10, 15	
498.875	do	do	10, 15	
498.900	do	do	10, 15	
498.925	do	do	10, 15	
498.950	do	do	10, 15	
498.975	do	do	10, 15	
499.000	do	do	10, 15	
499.025	do	do	10, 15	
499.050	do	do	10, 15	
499.075	do	do	10, 15	
499.100	do	do	10, 15	
499.125	do	do	10, 15	
499.150	do	do	10, 15	
499.175	do	do	10, 15	
499.200	do	do	10, 15	
499.225	do	do	10, 15	
499.250	do	do	10, 15	
499.275	do	do	10, 15	
499.300	do	do	10, 15	
499.325	do	do	10, 15	
499.350	do	do	10, 15	
499.375	do	do	10, 15	
499.400	do	do	10, 15	
499.425	do	do	10, 15	
499.450	do	do	10, 15	
499.475	do	do	10, 15	
499.500	do	do	10, 15	
499.525	do	do	10, 15	
499.550	do	do	10, 15	
499.575	do	do	10, 15	
499.600	do	do	10, 15	
499.625	do	do	10, 15	
499.650	do	do	10, 15	
499.675	do	do	10, 15	
499.700	do	do	10, 15	
499.725	do	do	10, 15	
499.750	do	do	10, 15	
499.775	do	do	10, 15	
499.800	do	do	10, 15	
499.825	do	do	10, 15	
499.850	do	do	10, 15	
499.875	do	do	10, 15	
499.900	do	do	10, 15	
499.925	do	do	10, 15	
499.950	do	do	10, 15	
499.975	do	do	10, 15	
500.000	do	do	10, 15	
500.025	do	do	10, 15	
500.050	do	do	10, 15	
500.075	do	do	10, 15	
500.100	do	do	10, 15	
500.125	do	do	10, 15	
500.150	do	do	10, 15	
500.175	do	do	10, 15	
500.200	do	do	10, 15	
500.225	do	do	10, 15	
500.250	do	do	10, 15	
500.275	do	do	10, 15	
500.300	do	do	10, 15	
500.325	do	do	10, 15	
500.350	do	do	10, 15	
500.375	do	do	10, 15	
500.400	do	do	10, 15	
500.425	do	do	10, 15	
500.450	do	do	10, 15	
500.475	do	do	10, 15	
500.500	do	do	10, 15	
500.525	do	do	10, 15	
500.550	do	do	10, 15	
500.575	do	do	10, 15	
500.600	do	do	10, 15	
500.625	do	do	10, 15	
500.650	do	do	10, 15	
500.675	do	do	10, 15	
500.700	do	do	10, 15	
500.725	do	do	10, 15	
500.750	do	do	10, 15	
500.775	do	do	10, 15	
500.800	do	do	10, 15	
500.825	do	do	10, 15	
500.850	do	do	10, 15	
500.875	do	do	10, 15	
500.900	do	do	10, 15	
500.925	do	do	10, 15	
500.950	do	do	10, 15	
500.975	do	do	10, 15	
501.000	do	do	10, 15	
501.025	do	do	10, 15	
501.050	do	do	10, 15	
501.075	do	do	10, 15	
501.100	do	do	10, 15	
501.125	do	do	10, 15	
501.150	do	do	10, 15	
501.175	do	do	10, 15	
501.200	do	do	10, 15	
501.225	do	do	10, 15	
501.250	do	do	10, 15	
501.275	do	do	10, 15	
501.300	do	do	10, 15	
501.325	do	do	10, 15	
501.350	do	do	10, 15	
501.375	do	do	10, 15	
501.400	do	do	10, 15	
501.425	do	do	10, 15	
501.450	do	do	10, 15	
501.475	do	do	10, 15	
501.500	do	do	10, 15	
501.525	do	do	10, 15	
501.550	do	do	10, 15	
501.575	do	do	10, 15	
501.600	do	do	10, 15	
501.625	do	do	10, 15	
501.650	do	do	10, 15	
501.675	do	do	10, 15	
501.700	do	do	10, 15	
501.725	do	do	10, 15	
501.750	do	do	10, 15	
501.775	do	do	10, 15	
501.800	do	do	10, 15	
501.825	do	do	10, 15	
501.850	do	do	10, 15	
501.875	do	do	10, 15	
501.900	do	do	10, 15	
501.925	do	do	10, 15	
501.950	do	do	10, 15	
501.975	do	do	10, 15	
502.000	do	do	10, 15	
502.025	do	do	10, 15	
502.050	do	do	10, 15	
502.075	do	do	10, 15	
502.100	do	do	10, 15	
502.125	do	do	10, 15	
502.150	do	do	10, 15	
502.175	do	do	10, 15	
502.200	do	do	10, 15	
502.225	do	do	10, 15	
502.250	do	do	10, 15	
502.275	do	do	10, 15	
502.300	do	do	10, 15	
502.325	do	do	10, 15	
502.350	do	do	10, 15	
502.375	do	do	10, 15	
502.400	do	do	10, 15	
502.425	do	do	10, 15	
502.450	do	do	10, 15	
502.475	do	do	10, 15	
502.500	do	do	10, 15	
502.525	do	do	10, 15	
502.550	do	do	10, 15	
502.575	do	do	10, 15	
502.600	do	do	10, 15	
502.625	do	do	10, 15	
502.650	do	do	10, 15	
502.675	do	do	10, 15	
502.700	do	do	10, 15	
502.725	do	do	10, 15	
502.750	do	do	10, 15	
502.775	do	do	10, 15	
502.800	do	do	10, 15	
502.825	do	do	10, 15	
502.850	do	do	10, 15	
502.875	do	do	10, 15	
502.900	do	do	10, 15	
502.925	do	do	10, 15	
502.950	do	do	10, 15	
502.975	do	do	10, 15	
503.000	do	do	10, 15	
503.025	do	do	10, 15	
503.050	do	do	10, 15	
503.075	do	do	10, 15	
503.100	do	do	10, 15	
503.125	do	do	10, 15	
503.150	do	do	10, 15	
503.175	do	do	10, 15	
503.200	do	do	10, 15	
503.225	do	do	10, 15	
503.250	do	do	10, 15	
503.275	do	do	10, 15	
503.300	do	do	10, 15	
503.325	do	do	10, 15	
503.350	do	do	10, 15	
503.375	do	do	10, 15	
503.400	do	do	10, 15	
503.425	do	do	10, 15	
503.450	do	do	10, 15	
503.475	do	do	10, 15	
503.500	do	do	10, 15	
503.525	do	do	10, 15	
503.550	do	do	10, 15	
503.575	do	do	10, 15	
503.600	do	do	10, 15	
503.625	do	do	10, 15	
503.650	do	do	10, 15	
503.675	do	do	10, 15	
503.700	do	do	10, 15	
503.725	do	do	10, 15	
503.750	do	do	10, 15	
503.775	do	do	10, 15	
503.800	do	do	10, 15	
503.825	do	do	10, 15	
503.850	do	do	10, 15	
503.875	do	do	10, 15	
503.900	do	do	10, 15	
503.925	do	do	10, 15	
503.950	do	do	10, 15	
503.975	do	do	10, 15	
504.000	do	do	10, 15	
504.025	do	do	10, 15	
504.050	do	do	10, 15	
504.075	do	do	10, 15	
504.100	do	do	10, 15	
504.125	do	do	10, 15	
504.150	do	do	10, 15	
504.175	do	do	10, 15	
504.200	do	do	10, 15	
504.225	do	do	10, 15	
504.250	do	do	10, 15	
504.275	do	do	10, 15	
504.300	do	do	10, 15	
504.325	do	do	10, 15	
504.350	do	do	10, 15	
504.375	do	do	10, 15	
504.400	do	do	10, 15	
504.425	do	do	10, 15	
504.450	do	do	10, 15	
504.475	do	do	10, 15	
504.500	do	do	10, 15	
504.525	do	do	10, 15	
504.550	do	do	10, 15	
504.575	do	do	10, 15	
504.600	do	do	10, 15	
504.625	do	do	10, 15	
504.650	do	do	10, 15	
504.675	do	do	10, 1	

or more miles from the center of any urbanized area of 200,000 or more population in the U.S. Census of Population, 1960, Vol. 1, Table 23, pages 1-50. All operation is subject to the condition that harmful interference will not be caused to stations in the mobile service. A maximum of two frequencies will be assigned to any fixed system.

(9) Reserved for possible future use for communication related to safety on highways (see Docket 17049).

(10) Control stations for mobile relay stations may be authorized to operate on the mobile frequency of such system. However, maximum power is limited to 30 watts ERP with a directional antenna having a front-to-back ratio of at least 20 db, the antenna to be no higher than 20 feet above ground.

(11) This frequency is limited to a maximum plate input power to the final radio frequency stage of 10 watts and each station authorized hereon will be classified and licensed as a mobile station. Any units of such a station, however, may be used to provide the operational functions of a base or fixed station, provided no harmful interference is caused to mobile service operations and further provided, that the separation between the control point and the center of the radiating portion of the antenna of any units so used shall not exceed 25 feet.

(12) This frequency may not be used aboard aircraft.

(13) This frequency will be assigned for mobile operation within normal two-way communication range of any associated base stations.

(14) This frequency will be assigned only to stations used in itinerant operations for "on-the-job" communications. Stations used in itinerant operations may be transferred from time to time to various temporary communication areas.

(15) This frequency may be assigned to fixed stations in the Citizens Radio Service when such stations will be located 100 or more miles from the center of any urbanized area of 200,000 or more population, in the U.S. Census of Population, 1960, Vol. 1, Table 23, pages 1-50. All operation is subject to the condition that harmful interference will not be caused to stations in the mobile service. A maximum of two frequencies will be assigned to any fixed system.

(16) For two frequency systems, separation between base and mobile transmit frequencies is 5 Mc/s, however, a mobile station may be assigned the frequency of an associated base station in lieu of the mobile only frequency. (Such operation may, however, subject the single frequency system to interference that would not occur to a two frequency system.)

(17) This frequency is available for assignment to stations located on or near airports serving the largest 20 cities, as ranked by the U.S. Census of Population, 1960 (Vol. 1, Fig. 46, p. S-36), and may be assigned only to persons engaged in furnishing commercial air transportation service, or to a nonprofit corporation or association for the purpose of furnishing radio communications service to persons so engaged on a nonprofit cost-sharing basis. Stations on this frequency may be used only in connection with servicing and supplying of aircraft at the airport.

(18) This frequency is available for assignment to stations in the Business Radio Service for use at locations removed by 75 or more miles from the boundaries of airports serving the 20 largest cities ranked in order of populations in the U.S. Census of Population, 1960, Vol. 1, Figure 46, page S-36.

(19) This frequency is available for assignment to one-way paging systems utilizing tone or voice emission (A2, F2, A3, F3), or a combination of tone and voice emission.

(20) Maximum permissible plate power input is 60 watts.

(21) Maximum permissible plate power input is 180 watts.

(22) Reserved.

(23) This frequency may be assigned to fixed stations in the Business Radio Service when such stations will be located 100 or more miles from the center of any urbanized area of 200,000 or more population in the U.S. Census of Population, 1960, Vol. 1, Table 23, pages 1-50. All operation is subject to the condition that harmful interference will not be caused to stations in the mobile service. A maximum of two frequencies will be assigned to any fixed system.

(24) This frequency may be assigned to auxiliary test stations.

(25) This frequency will be assigned only to stations operated with local control. Maximum plate power input to final radiofrequency stage may not exceed 180 watts. Overall height of antenna above ground may not exceed 100 feet. Control Point location to be within one-half air mile of the transmitter location.

(26) This frequency may be assigned to stations in the Business Radio Service for use in areas removed by at least 75 miles from the center of the 20 largest cities as ranked in the U.S. Census of Population, 1960, Vol. 1, Figure 46, page S-36.

[F.R. Doc. 67-11582; Filed, Oct. 6, 1967; 8:45 a.m.]

FEDERAL DEPOSIT INSURANCE CORPORATION

[12 CFR Part 335]

SECURITIES OF INSURED STATE NONMEMBER BANKS

Notice of Proposed Rule Making

The Board of Directors of the Federal Deposit Insurance Corporation is considering the amendment of Part 335 of its rules and regulations (12 CFR Part 301, et seq.).

Part 335, which became effective January 1, 1965, and the proposed amendments are promulgated under the authority of Public Law 88-467 of the 88th Congress, 2d session, approved August 20, 1964, which provides that the powers, functions, and duties vested in the Securities and Exchange Commission to administer and enforce sections 12, 13, 14(a), 14(c), and 16 of the Securities Exchange Act of 1934 be vested in the Federal Deposit Insurance Corporation with respect to securities issued by insured State banks which are not members of the Federal Reserve System. The proposed amendments will add (a) a definition of "beneficial ownership," and (b) a provision relating to inclusion of minority stockholder proposals in banks' proxy soliciting material.

Part 335 does not now contain a definition of "beneficial ownership" as it relates to the reporting of ownership of bank stock held by family members of directors, officers, and principal stockholders. Reporting of beneficial ownership of bank securities is required in registration statements, proxy statements, and "insiders" securities transactions and reports; and the proposed definition is designed to secure a more

uniform reporting of ownership of bank stock.

The Corporation also believes that it will be in the public interest to adopt requirements relating to management presentation of minority stockholder proposals in banks' proxy soliciting material. The proposed amendment will require the inclusion of stockholder proposals relating to matters other than the election to office, if submitted to management within the time period specified. However, specified grounds permitting omission of certain types of stockholder proposals are provided.

The proposed amendments to Part 335 are as follows:

1. Amend § 335.2 by adding § 335.2(ff) immediately following § 335.2(ee) to read as follows:

§ 335.2 Definitions.

(ff) The terms "beneficial ownership," "beneficially owned," and the like, when used with respect to the reporting of ownership of the bank's equity securities in any statement or report required by this regulation, shall include, in addition to direct and indirect beneficial ownership by the reporting person, ownership of such securities (1) by the spouse (except where legally separated) and minor children of such reporting person, and (2) by any other relative of the reporting person who has the same home as such person.

2. Amend § 335.5(d) (1) and (3) and add a new paragraph (k) to read as follows:

§ 335.5 Proxies, proxy statements, and statements where management does not solicit proxies.

(d) *Requirements as to proxy.* (1) The form of proxy (i) shall indicate in boldface type whether or not the proxy is solicited on behalf of the management of the bank, (ii) shall provide a specifically designated blank space for dating proxy, and (iii) shall identify clearly and impartially each matter or group of related matters intended to be acted upon, whether proposed by the management or by security holders. No reference need be made, however, to matters as to which discretionary authority is conferred pursuant to subparagraph (3) of this paragraph.

(3) A proxy may confer discretionary authority with respect to other matters that may come before the meeting, if (i) the persons on whose behalf the solicitation is made are not aware a reasonable time prior to the time the solicitation is made that any such other matters are to be presented for action at the meeting and (ii) a specific statement to that effect, except with respect to proposals omitted pursuant to paragraph (k) of this section for which discretionary authority may also be conferred, is made in the proxy statement or in the form of proxy.

(k) *Proposals of security holders.* (1) If any security holder entitled to vote at a meeting of security holders of the bank shall submit to the management of the bank, within the time hereinafter specified, a proposal which is accompanied by notice of his intention to present the proposal for action at the meeting, the management shall set forth the proposal in its proxy statement and shall identify it in its form of proxy and provide means by which security holders can approve or disapprove the proposal. The management of the bank shall not be required by this section to include the proposal in its proxy statement for an annual meeting unless the proposal is submitted to management not less than 60 days in advance of a day corresponding to the first date on which the management's statement was released to security holders in connection with the preceding annual meeting of security holders. A proposal to be presented at any other meeting shall be submitted to the management of the bank a reasonable time before the solicitation is made. This paragraph (k) shall not apply, however, to elections to office.

(2) If the management opposes the proposal, it shall also, at the written request of the security holder, include in the proxy statement (i) the name and address of the security holder, or a statement that such name and address will be furnished upon request, and (ii) a statement of the security holder, which shall not include such name and address, of not more than 100 words in support of the proposal. The statement and request of the security holder shall be furnished to the management at the same time that the proposal is furnished. Neither the management nor the bank shall be responsible for such statement.

(3) Notwithstanding subparagraphs (1) and (2) of this paragraph, the management may omit a proposal and any statement in support thereof from its proxy statement and form of proxy under any of the following circumstances:

(i) If the proposal is impossible to accomplish or, under applicable law, is not a proper subject for action by security holders; or

(ii) If the proposal consists of a recommendation or request that the management take action with respect to a matter relating to the conduct of the ordinary business operations of the bank; or

(iii) If it appears that the proposal is submitted by the security holder principally for the purpose of enforcing a personal claim or redressing a personal grievance against the bank or its management, or principally for the purpose of promoting general economic, political, racial, religious, social, or similar causes; or

(iv) If the management has at the security holder's request included a proposal in its proxy statement and form of proxy relating to either of the two preceding annual meetings of security holders or any special meeting held subsequent to the earlier of such two annual meetings, and such security holder has

failed without good cause to present the proposal, in person or by proxy, for action at the meeting; or

(v) If substantially the same proposal has previously been submitted to security holders in the management's proxy statement and form of proxy relating to any meeting of security holders held within the preceding 5 calendar years, it may be omitted from the proxy statement relating to any meeting of security holders held within the 3 calendar years after the latest such previous submission, provided that (a) if the proposal was submitted at only one meeting during such preceding period, it received less than 5 percent of the total number of votes cast in regard thereto, or (b) if the proposal was submitted at only two meetings during such preceding period, it received at the time of its second submission less than 10 percent of the total number of votes cast in regard thereto, or (c) if the proposal was submitted at three or more meetings during such period, it received at the time of its latest submission less than 20 percent of the total number of votes cast in regard thereto; or

(vi) If, prior to the receipt of such proposal, substantially the same proposal has been received by the management from another security holder and is to be included in the bank's proxy soliciting material.

(4) Whenever the management asserts that a proposal and any statement in support thereof may properly be omitted from the proxy statement and form of proxy, it shall file with the Corporation, not later than 20 days prior to the date the preliminary copies of the proxy statement and form of proxy are filed pursuant to paragraph (f) (1) of this section or such shorter period prior to such date as the Corporation may permit, a copy of the proposal and any statement in support thereof as received from the security holder, together with a statement of the reasons why the management deems such omission to be proper in the particular case, and, where such reasons are based on matters of law, a supporting opinion of counsel. The management shall at the same time, if it has not already done so, notify the security holder submitting the proposal of its intention to omit the proposal from its proxy statement and shall forward to him a copy of the statement of the reasons why the management deems the omission of the proposal to be proper and a copy of such supporting opinion of counsel.

This notice is published pursuant to section 4 of the Administrative Procedure Act and Part 302 of the Federal Deposit Insurance Corporation's rules and regulations (12 CFR Part 302).

To aid in the consideration of the foregoing matters, the Board of Directors will be glad to receive from interested persons any relevant data, views, or arguments. Such material should be sent to the Secretary, Federal Deposit Insurance Corporation, Washington, D.C. 20429. All such material should be submitted in writing to be received not later

than 30 days from the date of publication of this notice in the FEDERAL REGISTER.

Dated this 3d day of October 1967.

FEDERAL DEPOSIT INSURANCE
CORPORATION,
[SEAL] LOUISE R. DENO,
Acting Secretary.

[P.R. Doc. 67-11823; Filed, Oct. 6, 1967;
8:45 a.m.]

FEDERAL HOME LOAN BANK BOARD

[12 CFR Part 561]

[No. 20,838]

FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION

Definitions; Slow Loans

SEPTEMBER 28, 1967.

Resolved that, for the purpose of clarifying the term "deferred by law" now contained in § 561.16 of the Rules and Regulations for Insurance of Accounts (12 CFR 561.16), it is hereby proposed that the proviso clause at the end of § 561.16 be amended to read as follows:

§ 561.16 Slow loans.

Provided, That any mortgage loan, deed of trust, or land contract on which the total indebtedness is less than 60 percent of the original amount, any loan on which all contractually required payments have been made during the preceding 12 months and any loan on which payments are being deferred pursuant to the Soldiers' and Sailor's Civil Relief Act of 1940, as amended, shall not be considered to be a slow loan under this section.

(Secs. 402, 403, 48 Stat. 1256, 1257, as amended; 12 U.S.C. 1725, 1726. Reorg. Plan No. 3 of 1947, 12 F.R. 4931, 3 CFR, 1943-1943 Comp., p. 1071)

Resolved further that interested persons are invited to submit written data, views, and arguments to the Office of the Secretary, Federal Home Loan Bank Board, 101 Indiana Avenue NW., Washington, D.C. 20552, by November 9, 1967, as to whether this proposal should be adopted, rejected, or modified. Written material submitted will be available for public inspection at the above address unless confidential treatment is requested or the material would not be made available to the public or otherwise disclosed under § 505.6 of the general regulations of the Federal Home Loan Bank Board (12 CFR 505.6).

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN,
Secretary.

[P.R. Doc. 67-11853; Filed, Oct. 6, 1967;
8:46 a.m.]

FEDERAL RESERVE SYSTEM

[12 CFR Part 206]

[Reg. F]

SECURITIES OF MEMBER STATE BANKS

Notice of Proposed Rule Making

The Board of Governors of the Federal Reserve System is considering the adoption of amendments to §§ 206.2 and 206.5 of this part (Regulation F). The proposed amendments would (a) add a definition of "beneficial ownership", (b) add a provision relating to inclusion of minority stockholder proposals in a bank's proxy soliciting material, and (c) make incidental changes in connection with the latter.

a. Beneficial ownership. The Board has noted a wide diversity in reporting of the ownership of bank stock held by family members of directors, officers, and principal stockholders ("insiders") of banks subject to Regulation F. This has occurred not only in stock-ownership reports required to be filed by insiders pursuant to section 16(a) of the Securities Exchange Act, but also in registration statements and proxy statements required to be filed by banks pursuant to sections 12 and 14 of the Act. Accordingly, in the interest of uniform disclosure by the banks and other persons subject to the regulation, the Board believes it necessary to adopt a definition of the term "beneficial ownership", as used throughout the regulation.

This would be accomplished by adding the following new paragraph to § 206.2:

(ff) The terms "beneficial ownership," "beneficially owned," and the like, when used with respect to the reporting of ownership of the bank's equity securities in any statement or report required by this part, shall include, in addition to direct and indirect beneficial ownership by the reporting person, ownership of such securities (1) by the spouse (except where legally separated) and minor children of such reporting person, and (2) by any other relative of the reporting person who has the same home as such person.

The principal effect of the proposed definition would be to require the reporting of shares owned by the spouse (except where legally separated) and minor children of every insider. Shares owned by any relative who lives in the same home as the insider would also be required to be reported.

The proposed definition does not specify the only situations where ownership of shares held in the name of other parties should be reported. For example, certain trust interests should be reported (see § 206.6(d)), as should shares owned by a partnership or corporation in which the insider has a substantial interest. In addition, a person is regarded as the beneficial owner of securities held in the name of another person, if there exists a contract, understanding, relationship, or other arrangement that gives him benefits or powers substantially equivalent to those of ownership.

Also, the proposed definition is not intended to create a legal presumption for other purposes that the insider is, in fact, the beneficial owner of securities held by other persons—for example, with respect to tax consequences or forfeiture of short-swing trading profits under section 16(b) of the Securities Exchange Act. The reporting person is privileged by § 206.6(c) to disclaim beneficial ownership of such securities in ownership reports filed under section 16(a) of the Act, and the bank also may include such a disclaimer in its registration statement, proxy statements, and other reports. A final determination of the existence of beneficial ownership can be made, of course, only by a court of appropriate jurisdiction in the light of the facts of the particular case.

Adoption of the new definition would not impose any additional duties or liabilities with respect to reporting of transactions or holdings prior to its effective date. Prior reports will not be required to be amended.

b. Minority stockholder proposals. In the light of experience gained since this part was adopted in 1964, the Board of Governors believes that it would be in the public interest to adopt requirements relating to management presentation of minority stockholder proposals in a bank's proxy soliciting material.

This would be accomplished by adding the following new paragraph to § 206.5:

(k) *Proposals of security holders.* (1) If any security holder entitled to vote at a meeting of security holders of the bank shall submit to the management of the bank, within the time hereinafter specified, a proposal which is accompanied by notice of his intention to present the proposal for action at the meeting, the management shall set forth the proposal in its proxy statement and shall identify it in its form of proxy and provide means by which security holders can approve or disapprove the proposal. The management of the bank shall not be required by this section to include the proposal in its proxy statement for an annual meeting unless the proposal is submitted to management not less than 60 days in advance of a day corresponding to the first date on which the management's Statement was released to security holders in connection with the preceding annual meeting of security holders. A proposal to be presented at any other meeting shall be submitted to the management of the bank a reasonable time before the solicitation is made. This paragraph (k) shall not apply, however, to elections to office.

(2) If the management opposes the proposal, it shall also, at the written request of the security holder, include in the proxy statement (i) the name and address of the security holder, or a statement that such name and address will be furnished upon request, and (ii) a statement of the security holder (which shall not include such name and address) of not more than 100 words in support of the proposal. The statement and request of the security holder shall be furnished to the management at the same time that the proposal is furnished.

Neither the management nor the bank shall be responsible for such statement.

(3) Notwithstanding subparagraphs (1) and (2) of this paragraph, the management may omit a proposal and any statement in support thereof from its proxy statement and form of proxy under any of the following circumstances:

(i) If the proposal is impossible to accomplish or, under applicable law, is not a proper subject for action by security holders; or

(ii) If the proposal consists of a recommendation or request that the management take action with respect to a matter relating to the conduct of the ordinary business operations of the bank; or

(iii) If it appears that the proposal is submitted by the security holder principally for the purpose of enforcing a personal claim or redressing a personal grievance against the bank or its management, or principally for the purpose of promoting general economic, political, racial, religious, social, or similar causes; or

(iv) If the management has at the security holder's request included a proposal in its proxy statement and form of proxy relating to either of the two preceding annual meetings of security holders or any special meeting held subsequent to the earlier of such two annual meetings, and such security holder has failed without good cause to present the proposal, in person or by proxy, for action at the meeting; or

(v) If substantially the same proposal has previously been submitted to security holders in the management's proxy statement and form of proxy relating to any meeting of security holders held within the preceding 5 calendar years, it may be omitted from the proxy statement relating to any meeting of security holders held within the 3 calendar years after the latest such previous submission, provided that (a) if the proposal was submitted at only one meeting during such preceding period, it received less than 5 percent of the total number of votes cast in regard thereto, or (b) if the proposal was submitted at only two meetings during such preceding period, it received at the time of its second submission less than 10 percent of the total number of votes cast in regard thereto, or (c) if the proposal was submitted at three or more meetings during such period, it received at the time of its latest submission less than 20 percent of the total number of votes cast in regard thereto; or

(vi) If, prior to the receipt of such proposal, substantially the same proposal has been received by the management from another security holder and is to be included in the bank's proxy soliciting material.

(4) Whenever the management asserts that a proposal and any statement in support thereof may properly be omitted from the proxy statement and form of proxy, it shall file with the Board, not later than 20 days prior to the date the preliminary copies of the proxy statement and form of proxy are filed pursuant to paragraph (f)(1) of this section or such shorter period prior to such

date as the Board may permit, a copy of the proposal and any statement in support thereof as received from the security holder, together with a statement of the reasons why the management deems such omission to be proper in the particular case, and, where such reasons are based on matters of law, a supporting opinion of counsel. The management shall at the same time, if it has not already done so, notify the security holder submitting the proposal of its intention to omit the proposal from its proxy statement and shall forward to him a copy of the statement of the reasons why the management deems the omission of the proposal to be proper and a copy of such supporting opinion of counsel.

c. *Incidental amendments.* As a result of the proposal with respect to minority stockholder proposals, § 206.5(d) (1) and (3) would be amended to read as follows:

(d) *Requirements as to proxy.* (1) The form of proxy (i) shall indicate in bold-face type whether or not the proxy is solicited on behalf of the management of the bank, (ii) shall provide a specifi-

cally designated blank space for dating the proxy, and (iii) shall identify clearly and impartially each matter or group of related matters intended to be acted upon, whether proposed by the management or by security holders. No reference need be made, however, to proposals as to which discretionary authority is conferred pursuant to subparagraph (3) of this paragraph.

(3) A proxy may confer discretionary authority with respect to other matters that may come before the meeting, if (i) the persons on whose behalf the solicitation is made are not aware a reasonable time prior to the time the solicitation is made that any such other matters are to be presented for action at the meeting and (ii) a specific statement to that effect, except with respect to proposals omitted pursuant to paragraph (k) of this section for which discretionary authority may also be conferred, is made in the proxy statement or form of proxy.

The Board believes that the new provisions will promote corporate democracy

and, at the same time, protect bank management in its relationships with minority stockholders.

This notice is published pursuant to section 553(b) of Title 5, United States Code, and § 262.2(a) of the rules of procedure of the Board of Governors of the Federal Reserve System (12 CFR 262.2(a)).

To aid in the consideration of this matter by the Board, interested persons are invited to submit, in writing, relevant data, views, or arguments. Such material should be sent to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than November 6, 1967.

Dated at Washington, D.C., this 2d day of October 1967.

Board of Governors of the Federal Reserve System.

[SEAL] KENNETH A. KENYON,
Assistant Secretary.

[F.R. Doc. 67-11843; Filed, Oct. 6, 1967; 8:45 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Bureau of Customs

[T.D. 67-234]

TRADE NAME

Notice of Tentative Recordation

OCTOBER 2, 1967.

Tentative recordation of trade name under section 1124, title 15, United States Code, and section 11.16, Customs Regulations.

An application has been filed in the Treasury Department for the recordation of the following described trade name under the provisions of section 1124, title 15, United States Code, and § 11.16, Customs Regulations:

"Beaunit Corporation," is a trade name used by Beaunit Corp. (also doing business as Beaunit Fibers and Beaunit Textiles), a corporation organized under the laws of the State of New York, located at 261 Madison Avenue, New York, N.Y. 10016. The trade name is used in connection with man-made fibers, knitted and woven fabrics and garments, manufactured in the United States.

Any person who desires to file an opposition to the recordation of this trade name shall notify the Commissioner of Customs, Bureau of Customs, Washington, D.C. 20226, before the expiration of 30 days after October 31, 1967, of his intent to oppose the recordation. If a notice of opposition is filed, the opposer will be furnished with a copy of the application for recordation of the trade name, together with its supporting documents and instructions as to the procedure to be followed. The customs officers concerned will be given notice within 45 days after October 31, 1967, of any opposition proceedings.

Until 45 days after October 31, 1967, importations of articles of foreign manufacture as above described bearing names or marks which copy or simulate the trade name shall be detained, but not seized. If a notice is received that an opposition has been filed, such articles shall continue to be detained until a final determination is made concerning the rights of the applicant owner of the trade name. Articles detained either before or after any such notice is received shall receive the treatment provided for in § 11.17(b), Customs Regulations, which permits removal or obliteration of the offending mark or name prior to release, or exportation or destruction of the merchandise.

[SEAL]

LESTER D. JOHNSON,
Commissioner of Customs.

[F.R. Doc. 67-11864; Filed, Oct. 6, 1967; 8:47 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

CALIFORNIA

Notice of Proposed Withdrawal and Reservation of Lands

OCTOBER 2, 1967.

The Forest Service, U.S. Department of Agriculture, has filed an application, serial No. S 927, for the withdrawal of land described below, from appropriation under the mining laws (Title 30 U.S.C., Ch. 2), but not from leasing under the mineral leasing laws, subject to valid existing rights.

The applicant desires the withdrawal of the land in aid of programs of the Forest Service, U.S. Department of Agriculture, for utilization of the surface as a recreation area subject to existing valid rights.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, U.S. Department of the Interior, Room 4201, U.S. Courthouse and Federal Building, 650 Capitol Mall, Sacramento, Calif. 95814.

The Department's regulations (43 CFR 2311.1-3(c)) provide that the authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's, to eliminate lands needed for purposes more essential than the applicant's, and to reach agreement on the concurrent management of the lands and their resources.

The authorized officer will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the applicant agency.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

If circumstances warrant, a public hearing will be held at a convenient time and place, which will be announced.

The lands involved in the application are:

MOUNT DIABLO MERIDIAN

PLUMAS NATIONAL FOREST

T. 22 N., R. 11 E.,

Sec. 14, N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$;

Sec. 15, SE $\frac{1}{4}$ SE $\frac{1}{4}$;

Sec. 22, lots 1 and 6, and E $\frac{1}{2}$ NE $\frac{1}{4}$;

Sec. 27, N $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$.

The areas described aggregate 368.51 acres in Plumas County.

R. J. LATTEN,

Chief, Lands Adjudication Section.

[F.R. Doc. 67-11847; Filed, Oct. 6, 1967; 8:46 a.m.]

[C-2359]

COLORADO

Notice of Classification of Public Lands for Multiple-Use Management

SEPTEMBER 29, 1967.

1. Pursuant to the Act of September 19, 1964 (43 U.S.C. 1411-18) and to the regulations in 43 CFR Parts 2410 and 2411, the public lands within the areas described below, together with any lands therein that may become public lands in the future are hereby classified for multiple-use management. Publication of this notice segregates all the described lands from appropriation only under the agricultural land laws (43 U.S.C. Parts 7 and 9; 25 U.S.C. 334) and from sale under section 2455 of the Revised Statutes (43 U.S.C. 1171). The described lands shall remain open to all other applicable forms of appropriation, including the mining and mineral leasing laws. As used herein, "public lands" means any lands withdrawn or reserved by Executive Order No. 6910 of November 26, 1934, as amended, or within a grazing district established pursuant to the Act of June 28, 1934 (48 Stat. 1269), as amended, which are not otherwise withdrawn or reserved for a Federal use or purpose.

2. No protests or objections were received following publication of a notice of proposed classification (32 F.R. 10992), or at the public hearing at Cortez, Colo., which was held on August 9, 1967. Therefore, no changes have been made in the list of lands included in the classification. The record showing the comments received and other information is on file and can be examined in the Montrose District Office, Montrose, Colo.; and the Durango Resource Area Headquarters, Bureau of Land Management, 1211 Main Avenue, Durango, Colo. 81301. The public lands affected by this classification are located within the following described area and are shown on a map designated by Serial Number C-2359 on file in the Montrose District Office, Bureau of Land Management, Highway 550 South, Montrose, Colo. 81401; Durango Resource

Area Headquarters, Bureau of Land Management, 1211 Main Avenue, Durango, Colo. 81301; and Land Office, Bureau of Land Management, Room 15019, Federal Building, Denver, Colo. 80202.

NEW MEXICO PRINCIPAL MERIDIAN, COLORADO
MONTEZUMA, DOLORES AND SAN MIGUEL
COUNTIES

T. 35 N., R. 17 W.,
Secs. 1 and 12.
T. 35 N., R. 19 W.,
Secs. 3 to 10, inclusive;
Secs. 15 to 22, inclusive;
Secs. 28 to 32, inclusive.
T. 35 N., R. 20 W.,
Secs. 1, 2, and 3;
Secs. 10 to 15, inclusive;
Secs. 22 and 23;
Secs. 25 to 27, inclusive;
Secs. 34 and 35.
T. 36 N., R. 16 W.,
Secs. 18, 19, 29, 30, 31, and 32.
T. 36 N., R. 17 W.,
Secs. 4, 9, 13, and 14;
Secs. 16 to 30, inclusive.
T. 36 N., R. 18 W.,
Secs. 1 to 21, inclusive;
Sec. 22, NE $\frac{1}{4}$, W $\frac{1}{2}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$;
Secs. 23 to 32, inclusive;
Sec. 34, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$;
Secs. 35 and 36.
T. 36 N., R. 19 W.,
Secs. 1 to 24, inclusive;
Secs. 26, 27, and 28;
Sec. 29, N $\frac{1}{2}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
Secs. 30 and 31;
Secs. 33 and 36.
T. 36 N., R. 20 W.,
Secs. 1, 2, and 3;
Secs. 10 to 15, inclusive;
Sec. 22, N $\frac{1}{2}$;
Secs. 23 to 26, inclusive;
Sec. 27, NE $\frac{1}{4}$, S $\frac{1}{2}$;
Secs. 34, 35, and 36.
T. 37 N., R. 17 W.,
Secs. 3, 4, 8, 9, and 10;
Secs. 16 to 20, inclusive;
Secs. 30 and 31.
T. 37 N., R. 18 W.,
Secs. 1 to 36, inclusive.
T. 37 N., R. 19 W.,
Secs. 1 to 24, inclusive;
Sec. 25, N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
Secs. 26 to 35, inclusive;
Sec. 36, Lot 3, NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$.
T. 37 N., R. 20 W.,
Secs. 1, 2, 3, and 10;
Sec. 11, N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;
Secs. 12 to 15, inclusive;
Secs. 22 to 27, inclusive;
Secs. 34, 35, and 36.
T. 38 N., R. 17 W.,
Secs. 33 and 34.
T. 38 N., R. 18 W.,
Secs. 13, 14, and 15;
Secs. 17 to 28, inclusive;
Secs. 30 to 35, inclusive.
T. 38 N., R. 19 W.,
Sec. 2, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$;
Secs. 3 to 14, inclusive;
Secs. 16 to 36, inclusive.
T. 38 N., R. 20 W.,
Secs. 1, 2, and 3;
Secs. 10 to 15, inclusive;
Secs. 22 to 27, inclusive;
Secs. 34, 35, and 36.
T. 39 N., R. 18 W.,
Secs. 6 and 7;
Secs. 17 to 20, inclusive;
Secs. 29 and 30.
T. 39 N., R. 19 W.,
Secs. 2, 3, 5, 7, and 8;
Secs. 10 to 15, inclusive;
Secs. 21 to 28, inclusive;
Secs. 32, 33, and 34.

T. 39 N., R. 20 W.,
Secs. 13 and 14;
Secs. 23 to 27, inclusive;
Secs. 34, 35, and 36.
T. 40 N., R. 18 W.,
Secs. 1, 2, and 12.
T. 41 N., R. 18 W.,
Secs. 9 to 24, inclusive;
Secs. 26 to 29, inclusive;
Secs. 35 and 36.
T. 42 N., R. 17 W.,
Sec. 6 west of Dolores River.
T. 42 N., R. 18 W.,
Secs. 1 and 2 south and west of Dolores River;
Secs. 3 to 8, inclusive;
Secs. 11 to 14, inclusive, west of Dolores River;
Secs. 16 to 19, inclusive;
Secs. 21, 28, 32, and 33.
T. 42 N., R. 19 W.,
Secs. 1, 4, 5, 9, and 12.
T. 42 N., R. 20 W.,
Secs. 2 and 11.
T. 43 N., R. 18 W.,
Secs. 3 and 4 south and west of Dolores River;
Secs. 5 to 9, inclusive;
Secs. 10 and 15 west of Dolores River;
Secs. 16 to 21, inclusive;
Secs. 22, 23, 26, and 27 south and west of Dolores River;
Secs. 28 to 33, inclusive;
Secs. 34 and 35 west of Dolores River.
T. 43 N., R. 19 W.,
Secs. 1 to 34, inclusive;
Sec. 36.
T. 43 N., R. 20 W.,
Secs. 1, 11, and 14;
Secs. 23 to 26, inclusive;
Sec. 35.
T. 44 N., R. 18 W.,
Secs. 30 to 34, inclusive, south and west of Dolores River.
T. 44 N., R. 19 W.,
Secs. 7 to 11, inclusive, south of McIntyre Canyon;
Secs. 13 and 14 south and west of McIntyre Canyon;
Secs. 15 to 23, inclusive;
Secs. 24 and 25 west of Dolores River;
Secs. 26 to 35, inclusive;
Sec. 36 west of Dolores River.
T. 44 N., R. 20 W.,
Secs. 11 and 12 south of McIntyre Canyon;
Secs. 13 and 14;
Secs. 23 to 26, inclusive;
Secs. 35 and 36.

The total area described aggregates approximately 251,100 acres of public land.

3. For a period of 30 days from the date of publication of this notice in the FEDERAL REGISTER, interested parties may submit comments to the Secretary of the Interior, LLM, 721, Washington, D.C. 20240 (43 CFR 2411.1-2(d)).

E. I. ROWLAND,
State Director.

[F.R. Doc. 67-11869; Filed, Oct. 6, 1967;
8:48 a.m.]

[C-2657]

COLORADO

Notice of Proposed Classification of Public Lands for Multiple Use Management; Correction

OCTOBER 2, 1967.

In F.R. Doc. 67-11139, appearing at pages 13387-88 of the issue for Friday,

September 22, 1967, the following change should be made:

Under T. 13 S., R. 103 W., sec. 3, "W $\frac{1}{2}$ SW $\frac{1}{2}$ " should be "W $\frac{1}{2}$ SW $\frac{1}{4}$ ".

E. I. ROWLAND,
State Director.

[F.R. Doc. 67-11870; Filed, Oct. 6, 1967;
8:48 a.m.]

[Colorado 1018]

COLORADO

Notice of Termination of Classification of Lands

OCTOBER 2, 1967.

Notice of classification of lands, Serial No. C-1018, published as F.R. Doc. No. 67-4325, at pages 6215 through 6217 of the issue for Thursday, April 20, 1967, is hereby canceled so far as it affects the hereinafter described lands. The segregative effect thereof will terminate upon publication of this notice in the FEDERAL REGISTER, as provided by the regulations in 43 CFR 2411.2e(3) (ii):

SIXTH PRINCIPAL MERIDIAN
RIO BLANCO COUNTY

T. 1 N., R. 95 W.,
Sec. 8, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 17, N $\frac{1}{2}$ NE $\frac{1}{4}$.

Totalling 160 acres in Rio Blanco County.

E. I. ROWLAND,
State Director.

[F.R. Doc. 67-11871; Filed, Oct. 6, 1967;
8:48 a.m.]

Fish and Wildlife Service

[Docket No. C-274]

DAVID L. AND FAME L. RANKIN

Notice of Loan Application

OCTOBER 3, 1967.

David L. Rankin and Fame L. Rankin, 495 Ocean Avenue, Post Office Box 35, Trinidad, Calif. 95570, have applied for a loan from the Fisheries Loan Fund to aid in financing the construction of a new 42-foot fiberglass vessel to engage in the fishery for salmon, albacore, and Dungeness crab.

Notice is hereby given pursuant to the provisions of Public Law 89-85 and Fisheries Loan Fund Procedures (50 CFR Part 250, as revised Aug. 11, 1965) that the above-entitled application is being considered by the Bureau of Commercial Fisheries, Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240. Any person desiring to submit evidence that the contemplated operation of such vessel will cause economic hardship or injury to efficient vessel operators already operating in that fishery must submit such evidence in writing to the Director, Bureau of Commercial Fisheries, within 30 days from the date of publication of this notice. If such evidence is received it will be evaluated along with such other evidence as may

be available before making a determination that the contemplated operations of the vessel will or will not cause such economic hardship or injury.

L. L. McHUGH,
Acting Director,
Bureau of Commercial Fisheries.

[F.R. Doc. 67-11846; Filed, Oct. 6, 1967;
8:46 a.m.]

National Park Service

[Order 3]

CHIEF, DIVISION OF CONTRACT ADMINISTRATION AND CONSTRUCTION, SAN FRANCISCO

Delegation of Authority Regarding Execution, Approval, and Administration of Contracts

1. The Chief, Division of Contract Administration and Construction, Office of Design and Construction, San Francisco Planning and Service Center, is hereby authorized to execute, approve and administer contracts for architectural, landscape architectural, and engineering services and for construction within the areas served by this Office. In exercising these activities, the Chief, Division of Contract Administration and Construction, may enter into and administer the required contracts and his staff may directly prosecute the contracts for construction and the contracts for architectural, landscape architectural, and engineering services.

2. Authority to execute, approve, and administer contracts granted by section 1 of this order shall be limited to contracts not to exceed \$200,000. Contracts are to be entered into subject to the provision of applicable policies, regulations, statutory authorities and subject to availability of appropriated funds to meet the contract obligation being entered into. Authorization for change orders and extra work orders are subject to the same regulations and limitations.

3. This order supersedes Order 2, 31 F.R. 8134, June 9, 1966.

(National Park Service Order No. 42, 32 F.R. 12067, Aug. 22, 1967)

Dated: September 20, 1967.

WILLIAM L. BOWEN,
Chief, Design and Construction
Office, San Francisco Planning
and Service Center.

[F.R. Doc. 67-11849; Filed, Oct. 6, 1967;
8:46 a.m.]

[Order No. 3]

INDEPENDENCE NATIONAL HISTORICAL PARK, PA.

Delegation of Authority Regarding Purchasing and Contracting

SECTION 1. *Administrative Officer.* The Administrative Officer may execute, approve, and administer contracts not in excess of \$25,000 for construction, supplies, equipment, or services in conformity with applicable regulations and

statutory authority and subject to the availability of funds. Construction contracts shall be entered into only with the advice and consent of the concerned Chief, Office of Design and Construction.

SEC. 2. *Procurement Agent.* The Procurement Agent may issue purchase orders not in excess of \$1,000 for supplies, equipment, or services in conformity with applicable regulations and statutory authority and subject to the availability of funds.

SEC. 3. *Revocation.* This order supersedes Order No. 2 dated March 25, 1963 (28 F.R. 3939).

(National Park Service Order No. 34 (31 F.R. 4255) as amended; 39 Stat. 535, 16 U.S.C. sec. 2; Northeast Region Order No. 5 (21 F.R. 8135) as amended)

Dated: September 22, 1967.

M. O. ANDERSON,
Superintendent, Independence
National Historical Park.

[F.R. Doc. 67-11850; Filed, Oct. 6, 1967;
8:45 a.m.]

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

SALES OF CERTAIN COMMODITIES

October Sales List

Notice to buyers. Pursuant to the policy of Commodity Credit Corporation issued October 12, 1954 (19 F.R. 6669), and subject to the conditions stated therein as well as herein, the commodities listed below are available for sale and, where noted, for redemption of payment-in-kind certificates on the price basis set forth.

The U.S. Department of Agriculture announced the prices at which CCC commodity holdings are available for sale beginning at 3 p.m., e.d.t., on Sept. 30, 1967, and, subject to amendment, continuing until superseded by the November Monthly Sales List.

The following commodities are available: Cotton (upland and extra long staple), wheat, corn, oats, barley, rye, rice, grain sorghum, peanuts, flax, tung oil, butter, cheese, and nonfat dry milk.

The only change in the number of commodities listed for October is the withdrawal of dry beans from sale.

With the beginning of the 1967-68 marketing year for corn and grain sorghum on October 1, the minimum prices for these two commodities are based on 1967 support rates.

Information on the availability of commodities stored in Commodity Credit Corporation bin sites may be obtained from ASCS State offices shown at the end of the sales list, and for commodities stored at other locations from ASCS commodity and grain offices also shown at the end of the list.

Corn, oats, barley, or grain sorghum, as determined by CCC, will be sold for unrestricted use for "Dealers' Certificates" issued under the emergency livestock feed program. Grain delivered

against such certificates will be sold at the applicable current market price, determined by CCC.

In the following listing of commodities and sales prices or method of sales, "unrestricted use" applies to sales which permit either domestic or export use and "export" applies to sales which require export only. CCC reserves the right to determine the class, grade, quality and available quantity of commodities listed for sale.

The CCC Monthly Sales List, which varies from month to month as additional commodities become available or commodities formerly available are dropped, is designed to aid in moving CCC's inventories into domestic or export use through regular commercial channels.

If it becomes necessary during the month to amend this list in any material way—such as by the removal or addition of a commodity in which there is general interest or by a significant change in price or method of sale—an announcement of the change will be sent to all persons currently receiving the list by mail from Washington. To be put on this mailing list, address: Director, Procurement and Sales Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Washington, D.C. 20250.

Interest rates per annum under the CCC Export Credit Sales Program (Announcement GSM-3 or 4) for September 1967 are 5½ percent for U.S. bank obligations and 6½ percent for foreign bank obligations. Commodities now eligible for financing under the CCC Export Credit Sales Program include wheat, wheat flour, barley, bulgur, corn, cornmeal, grain sorghum, upland and extra long staple cotton, tobacco, cottonseed oil, soybean oil, dairy products, and tallow. Commodities purchased from CCC may be financed for export as private stocks, under Announcement GSM-4.

Information on commodities available under Title I, Public Law 480, private trade agreements, and current information on interest rates and other phases of the program may be obtained from the Office of the General Sales Manager, Foreign Agricultural Service, U.S. Department of Agriculture, Washington, D.C. 20250.

The following commodities are currently available for new and existing barter contracts: Oats, cotton (upland and extra long staple), and tobacco. Wheat and grain sorghum are also available under conditions noted in the individual commodity listings. (In addition, free market stocks of corn, grain sorghum, wheat, wheat flour, tobacco, cottonseed, and soybean oils are eligible for barter programming under barter contracts covering procurements for Federal agencies that will reimburse CCC except that Hard Red Winter, Hard Red Spring, and durum wheats, and flour produced from those wheats, may not be exported through west coast ports.)

The CCC will entertain offers from responsible buyers for the purchase of any commodity on the current list. Offers accepted by CCC will be subject to the

terms and conditions prescribed by the Corporation. These terms include payment by cash or irrevocable letter of credit before delivery of the commodity, and the conditions require removal of the commodity from CCC stocks within a reasonable period of time. Where sales are for export, proof of exportation is also required, and the buyer is responsible for obtaining any required U.S. Government export permit or license. Purchases from CCC shall not constitute any assurance that any such permit or license will be granted by the issuing authority.

Applicable announcements containing all terms and conditions of sale will be furnished upon request. For easy reference a number of these announcements are identified by code number in the following list. Interested persons are invited to communicate with the Agricultural Stabilization and Conservation Service, USDA, Washington, D.C. 20250, with respect to all commodities or—for specified commodities—with the designated ASCS commodity office.

Commodity Credit Corporation reserves the right to amend from time to time, any of its announcements. Such amendments shall be applicable to and be made a part of the sale contracts thereafter entered into.

CCC reserves the right to reject any or all offers placed with it for the purchase of commodities pursuant to such announcements.

CCC reserves the right to refuse to consider an offer, if CCC does not have adequate information of financial responsibility of the offeror to meet contract obligations of the type contemplated in this announcement. If a prospective offeror is in doubt as to whether CCC has adequate information with respect to his financial responsibility, he should either submit a financial statement to the office named in the invitation prior to making an offer, or communicate with such office to determine whether such a statement is desired in his case. When satisfactory financial responsibility has not been established, CCC reserves the right to consider an offer only upon submission by offeror of a certified or cashier's check, a bid bond, or other security, acceptable to CCC, assuring that if the offer is accepted, the offeror will comply with any provisions of the contract with respect to payment for the commodity and the furnishing of performance bond or other security acceptable to CCC.

Disposals and other handling of inventory items often result in small quantities at given locations or in qualities not up to specifications. These lots are offered by the appropriate ASCS office promptly upon appearance and therefore, generally, they do not appear in the Monthly Sales List.

On sales for which the buyer is required to submit proof to CCC of exportation, the buyer shall be regularly engaged in the business of buying or selling commodities and for this purpose shall maintain a bona fide business office in the United States, its territories or possessions and have a person, principal,

or resident agent upon whom service of judicial process may be had.

Prospective buyers for export should note that generally, sales to U.S. Government agencies, with only minor exceptions will constitute domestic unrestricted use of the commodity.

Commodity Credit Corporation reserves the right, before making any sales, to define or limit export areas.

The Department of Commerce, Bureau of International Commerce, pursuant to regulations under the Export Control Act of 1949, prohibits the exportation or re-exportation by anyone of any commodities under this program to Cuba, the Soviet Bloc or Communist-controlled areas of the Far East including Communist China, North Korea, and the Communist-controlled area of Viet Nam except under validated license issued by the U.S. Department of Commerce, Bureau of International Commerce.

For all exportations, one of the destination control statements specified in Commerce Department Regulations (Comprehensive Export Schedule § 379.10 (c)) is required to be placed on all copies of the shipper's export declaration, all copies of the bill of lading, and all copies of the commercial invoices. For additional information as to which destination control statement to use, the exporter should communicate with the Bureau of International Commerce or one of the field offices of the Department of Commerce.

Exporters should consult the applicable Commerce Department regulations for more detailed information if desired and for any changes that may be made therein.

SALES PRICE OR METHOD OF SALE WHEAT, BULK

Unrestricted use.

A. *Storable.* All classes of wheat in CCC inventory are available for sale at market price but not below 115 percent of the 1967 price-support loan rate for the class, grade, and protein of the wheat plus the markup shown in C below applicable to the type of carrier involved.

B. *Nonstorable.* At not less than market price, as determined by CCC.

C. *Markup and examples (dollars per bushel in-store).*

Markup in-store received by—		Examples—Agricultural Act of 1949; Stat. minimum
Truck	Rail or barge	
\$0.08 1/2	\$0.05	Minneapolis—No. 1 DNS (\$1.25) 115 percent +\$0.05; \$1.85. Portland—No. 1 SW (\$1.44) 115 percent +\$0.05; \$1.72. Kansas City—No. 1 HRW (\$1.43) 115 percent +\$0.05; \$1.71. Chicago—No. 1 RW (\$1.47) 115 percent +\$0.05; \$1.70.

Export.

A. CCC will sell limited quantities of Hard Red Winter and Hard Red Spring wheat at west coast ports at domestic market price levels for export under Announcement GR-345 (Revision III, July 6, 1962, as amended) as follows:

(1) Notice of foreign sale must be furnished CCC within 5 calendar days after purchase.

See footnotes at end of docket.

(2) Sales will be made only to fill dollar market sales abroad and exporter must show export from the west coast to a destination west of the 170th meridian, east longitude, and east of the 6th meridian, east longitude, and to countries on the west coast of Central and South America.

B. CCC will sell wheat for export under Announcement GR-261 (Revision III, Jan. 9, 1961, as amended and supplemented) subject to the following:

(1) All classes will be sold subject to offers which include the price at which the buyer proposes to purchase the wheat.

(2) All classes will be sold to fill dollar market sales abroad and exporter must show export from the west coast to a destination within the geographical limitation shown in A(2) above.

(3) All classes will be sold for application to barter contracts entered into pursuant to invitations for barter offers dated prior to 3:30 p.m., e.d.t., on August 26, 1966. However, CCC-owned wheat will not be sold for barter at west coast ports nor will evidence of export at west coast ports be acceptable under a sale for barter.

C. Announcement GR-262 (Revision II, Jan. 9, 1961, as amended) for export as flour as follows: All classes will be sold for application to barter contracts entered into pursuant to invitations for barter offers dated prior to 3:30 p.m., e.d.t., on August 26, 1966. However, sales for barter will not be made at west coast ports nor will evidence of export from west coast ports be acceptable under a sale for barter pursuant to this announcement.

D. CCC will not sell wheat under Announcement GR-346 until further notice.

Available, Evanston, Kansas City, Minneapolis, and Portland ASCS offices.

CORN, BULK

Unrestricted use.

A. *Redemption of domestic payment-in-kind certificates.* Such CCC dispositions of corn as CCC may designate will be in redemption of certificates or rights represented by pooled certificates under a feed grain program. The price at which corn shall be valued for such dispositions shall be the market price as determined by CCC, but not less than 115 percent of the applicable 1967 price-support loan rate² for the class, grade, and quality of the corn plus the markup shown in C of this unrestricted use section.

B. General sales.

1. *Storable.* Such CCC dispositions of storable corn as CCC may designate as general sales will be made during the month at market price, as determined by CCC, but not less than the Agricultural Act of 1949 formula minimum price for such sales which is 105 percent of the applicable 1967 price support rate² (published loan rate plus 19 cents per bushel) for the class, grade, and quality of the corn, plus the markup shown in C of this unrestricted use section.

2. *Nonstorable.* At not less than market price as determined by CCC.

C. *Markups and examples (dollars per bushel in-store² basis No. 2 Yellow Corn 14 percent M.T. 2 percent F.M.).*

Markup in-store received by—	Examples
Truck	
\$0.04	Feed grain program domestic PIK certificate minimums: McLean County, Ill. (\$1.03+\$0.02) 115 percent +\$0.04; \$1.32. Agricultural Act of 1949; stat. minimums: McLean County, Ill. (\$1.03+\$0.02) 115 percent +\$0.12; 105 percent +\$0.04; \$1.40.

Available. Evanston, Kansas City, Minneapolis, and Portland ASCS grain offices.

Export. Corn from CCC inventory is not available for export sale.

GRAIN SORGHUM (BULK)

Unrestricted use.

A. *Redemption of domestic payment-in-kind certificates.* Such CCC dispositions of grain sorghum as CCC may designate will be in redemption of certificates or rights represented by pooled certificates under a feed grain program. The minimum price at which grain sorghum shall be valued for such dispositions shall be market price, as determined by CCC, but not less than 115 percent of the applicable 1967 price-support loan rate² for the class, grade, and quality of the grain sorghum, plus the markup shown in C of this unrestricted use section applicable to the type of carrier involved.

B. *General sales.*—1. *Storable.* Such CCC dispositions of storable grain sorghum as CCC may designate as general sales will be made during the month at market price, as determined by CCC, but not less than the Agricultural Act of 1949 formula minimum price for such sales which is 105 percent of the applicable 1967 price-support rate² (published loan rate plus 34 cents per hundredweight) for the class, grade, and quality of the grain sorghum, plus the markup shown in C of this unrestricted use section applicable to the type of carrier involved.

2. *Nonstorable.* At not less than market price as determined by CCC.

C. *Markups and examples (dollars per hundredweight in-store¹ No. 2 or better).*

Markup in-store received by—		Examples
Truck	Rail or barge	
\$0.07½	\$0.02¾	Feed grain program domestic PIK certificate minimums: Hale County, Tex. (\$1.69) 115 percent +\$0.07½; \$1.90¼. Kansas City, Mo. (ex-rail) (\$1.85) 115 percent +\$0.02¾; \$2.15¾. Agricultural Act of 1949; stat. minimums: Hale County, Tex. (\$1.59+\$0.34); 105 percent +\$0.07½; \$2.10¼. Kansas City, Mo. (ex-rail) (\$1.85+\$0.34); 105 percent +\$0.02¾; \$2.32¾.

Export. Sales are made at applicable domestic market price levels for export, as determined by CCC; export payment rates, if any, are deducted in arriving at barter prices. The statutory minimum price referred to in the price adjustment provisions of the following export sales announcements is 105 percent of the applicable price-support rate plus the markup referred to in C of the unrestricted use section for grain sorghum. Sales will be made pursuant to the following announcements:

A. Announcement GR-368 (Revision 2, Mar. 1, 1965, as amended), for export commodity certificate redemption.

B. Announcement GR-212 (Revision 2, Jan. 9, 1961) for application to barter contracts entered into pursuant to invitations for barter offers dated prior to 3:30 p.m., e.d.t., on August 26, 1966, and for cash or other designated sales.

Available. Evanston, Kansas City, Minneapolis, and Portland ASCS grain offices.

BARLEY, BULK

Unrestricted use.

A. *Storable.* Market price, as determined by CCC, but not less than 115 percent of the applicable 1967 price-support rate²

for the class, grade, and quality of the barley plus the applicable markup.

B. *Markups and examples (dollars per bushel in-store¹ No. 2 or better).*

Markup in-store received by—		Examples
Truck	Rail or barge	
\$0.08½	\$0.06	Cass County, N. Dak. (\$0.87); 115 percent +\$0.08½; \$1.09½. Minneapolis, Minn. (ex-rail) (\$1.10); 115 percent +\$0.06; \$1.33.

C. *Nonstorable.* At not less than market price as determined by CCC.

Export. Sales are made at applicable domestic market price levels for export, as determined by CCC. The statutory minimum price referred to in the price adjustment provisions of the following export sales announcement is 105 percent of the applicable price-support rate plus the markup referred to in B of the unrestricted use section for barley. Sales will be made pursuant to the following announcements:

A. Announcement GR-368 (Revision 2, Mar. 1, 1965, as amended), for export commodity certificate redemption.

B. Announcement GR-212 (Revision 2, Jan. 9, 1961) for cash or other designated sales.

Available. Kansas City, Evanston, Portland, and Minneapolis ASCS grain offices.

OATS, BULK

Unrestricted use.

A. Market price, as determined by CCC, but not less than 115 percent of the applicable 1967 price-support rate² for the class, grade, and quality of the oats plus the markup shown in B below.

B. *Markups and examples (dollars per bushel in-store¹ basis No. 2 XHWO).*

Markup in-store received by—		Examples—Agricultural Act of 1949; Stat. minimum
Truck	Rail or barge	
\$0.08½		Redwood County, Minn. (\$0.60+\$0.03 quality differential); 115 percent +\$0.08½; \$0.81½.

C. *Nonstorable.* At not less than the market price as determined by CCC.

Export. Sales are made at applicable domestic market price levels for export as determined by CCC; export payment rates, if any, are deducted in arriving at barter prices. The statutory minimum price referred to in the price adjustment provisions of the following export sales announcements is 105 percent of the applicable price-support rate plus the markup referred to in B of the unrestricted use section for oats. Sales will be made pursuant to the following announcements:

A. Announcement GR-368 (Revision 2, Mar. 1, 1965, as amended), for export commodity certificate redemption.

B. Announcement GR-212 (Revision 2, Jan. 9, 1961), for application to barter contracts and for cash or other designated sales.

Available. Kansas City, Evanston, Minneapolis, and Portland ASCS grain offices.

RYE, BULK

Unrestricted use.

A. *Storable.* Market price, as determined by CCC, but not less than the Agricultural Act of 1949 formula price which is 105 percent² of the applicable 1967 price-support rate for the class, grade, and quality of the grain

plus the markup shown in B below applicable to the type of carrier involved.

B. *Markups and examples (dollars per bushel in-store No. 2 or better).*

Markup in-store received by—		Examples—Agricultural Act of 1949; Stat. minimum
Truck	Rail or barge	
\$0.08½	\$0.06	Rolette County, N. Dak. (\$0.90); 105 percent +\$0.08½; \$1.03½. Minneapolis, Minn. (ex-rail) (\$1.23); 105 percent +\$0.06; \$1.30.

C. *Nonstorable.* At not less than market price as determined by CCC.

Export. Sales are made at applicable domestic market price levels for export, determined by CCC. The statutory minimum price referred to in the price adjustment provisions of the following export sales announcement is 105 percent of the applicable price-support rate plus the markup referred to in B of the unrestricted use section for rye. Sales will be made pursuant to the following announcements:

A. Announcement GR-368 (Revision 2, Mar. 1, 1965, as amended), for export commodity certificate redemption.

B. Announcement GR-212 (Revision 2, Jan. 9, 1961), for cash or other designated sales.

Available. Evanston, Kansas City, Portland, and Minneapolis ASCS grain offices.

RICE, ROUGH

Unrestricted use.

Market price but not less than 1967 loan rate plus 5 percent plus 10 cents per hundredweight, basis in store.

Export. As milled or brown under Announcement GR-369, Revision III, as amended, Rice Export Program.

Available. Prices, quantities, and varieties of rough rice available from Kansas City ASCS Commodity Office.

COTTON, UPLAND

Unrestricted use.

A. Competitive offers under the terms and conditions of Announcement NO-C-32 (Sale of Upland Cotton for Unrestricted Use). Under this announcement, upland cotton acquired under price-support programs will be sold at the highest price offered but in no event at less than the higher of (a) 110 percent of the current loan rate for such cotton, or (b) the market price for such cotton, as determined by CCC.

B. Competitive offers under the terms and conditions of Announcement NO-C-31 (Disposition of Upland Cotton—In Redemption of Payment-In-Kind Certificates or Rights in Certificate Pools, In Redemption of Export Commodity Certificates, Against the "Short-fall," and Under Barter Transactions), as amended. Cotton may be acquired at its current market price, as determined by CCC, but not less than a minimum price determined by CCC which will in no event be less than 120 points (1.2 cents per pound) above the loan rate for such cotton.

Export.

CCC disposals for barter. Competitive offers under the terms and conditions of Announcements CN-EX-28 (Acquisition of Upland Cotton for Export under the Barter Program) and NO-C-31 (described above), as amended.

COTTON, EXTRA LONG STAPLE

Unrestricted use.

Competitive offers under the terms and conditions of Announcements NO-C-6 (Revised July 22, 1960), as amended, and NO-C-10, as amended. Under these announcements extra long staple cotton (domestically grown) will be sold at the highest price offered but in no event at less than the higher

See footnotes at end of docket.

of (a) 115 percent of the current support price for such cotton plus reasonable carrying charges, or (b) the domestic market price as determined by CCC.

Export.

A. *CCC sales for export.* Competitive offers under the terms and conditions of Announcements CN-EX-22 (Extra Long Staple Cotton Export Program) and NO-C-27 (Sale of Extra Long Staple Cotton), as amended.

B. *Barter.* Competitive offers under the terms and conditions of Announcement CN-EX-27 (Acquisition of Extra Long Staple Cotton for Export under the Barter Program), and NO-C-27 (Sale of Extra Long Staple Cotton), as amended.

COTTON, UPLAND OR EXTRA LONG STAPLE

Unrestricted use.

A. Competitive offers under the terms and conditions of Announcement NO-C-18 (Sale of Cotton—To Establish Claims). Any such cotton will be offered for sale periodically on the basis of samples representing the cotton for the purpose of establishing claims against producers and others according to schedules issued from time to time by CCC.

B. Competitive offers under the terms and conditions of Announcement NO-C-20 (Sale of Special Condition Cotton). Any such cotton (Below Grade, Sample Loose, Damaged Pickings, etc.) owned by CCC will be offered for sale periodically on the basis of samples representing the cotton according to schedules issued from time to time by CCC.

Availability information.

Sale of cotton will be made by the New Orleans ASCS Commodity Office. Sales announcements, related forms, and catalogs for upland cotton and extra long staple cotton showing quantities, qualities, and location may be obtained for a nominal fee from that office.

PEANUTS, SHELLED

When stocks are available in their area of responsibility, the quantity, type, and grade offered and whether for restricted or unrestricted use are announced in weekly lot lists or invitations to bid issued by the following:

GFA Peanut Association, Camilla, Ga.
Peanut Growers Cooperative Marketing Association, Franklin, Va.
Southwestern Peanut Growers' Association, Gorman, Tex.

A. *Restricted use sales.* Announcement PR-1 as amended, and the lot list contain terms and conditions of sales restricted to domestic crushing or export.

1. Shelled peanuts of less than U.S. No. 1 grade may be purchased for foreign or domestic crushing.

2. U.S. Medium, Virginia type may be purchased for export only.

3. Farmers stock peanuts may be purchased for domestic crushing or for export of U.S. No. 1 or better shelled peanuts. All peanuts of less than U.S. No. 1 quality must be crushed domestically.

All sales are made on the basis of competitive bids each Wednesday, by the Producer Associations Division, Agricultural Stabilization and Conservation Service, Washington, D.C. 20250, to which all bids are submitted.

TUNG OIL

Unrestricted use.

Sales are made periodically on a competitive bid basis. Bids are submitted to the Producer Associations Division, Agricultural Stabilization and Conservation Service, Washington, D.C. 20250.

The quantity offered and the date bids are to be received are announced to the trade in notices of Invitation to Bid, issued

by the National Tung Oil Marketing Cooperative, Inc., Poplarville, Miss. 39470.

Terms and conditions of sale are as set forth in Announcement NTOM-PR-4 of April 6, 1967, as amended, and the applicable Invitation to Bid.

Bids will include, and be evaluated on the basis of, price offered per pound f.o.b. storage location. For certain destinations, CCC will as provided in the Announcement, as amended, refund to the buyer a "freight equalization" allowance.

Copies of the Announcement or the Invitation may be obtained from the Cooperative or Producer Associations Division, ASCS, telephone Washington, D.C., area code 202, DU 8-3901.

FLAXSEED, DULK

Unrestricted use.

A. *Storable.* Domestic market price but not less than the applicable 1967 support price for the class, grade, and quality of flaxseed plus 14½ cents per bushel, and plus the respective markup shown in B below applicable to the type of carrier involved.

B. *Markups and examples (dollars per bushel in-store.)*

Markup per bushel received by—		Examples of minimum prices (ex-rail or barge)		
Truck	Rail or barge	Terminal	Class and grade	Price
Cents \$0.10½	Cents \$0.06½	Minneapolis..	No. 1.....	\$3.50¾

C. *Nonstorable.* At not less than domestic market price as determined by CCC.

Available. Through the Minneapolis ASCS commodity office.

DAIRY PRODUCTS

Sales are in carlots only in-store at storage location of products.

Submission of offers. Submit offers to the Minneapolis ASCS Commodity Office.

NONFAT DRY MILK

Unrestricted use.

Announced prices, under MP-14: Spray process, U.S. Extra Grade, 21.60 cents per pound.

BUTTER

Unrestricted use.

Announced prices, under MP-14: 74.0 cents per pound—New York, Pennsylvania, New Jersey, New England, and other States bordering the Atlantic Ocean and Gulf of Mexico. 73.25 cents per pound—Washington, Oregon, and California. All other States 73.0 cents per pound.

CHEDDAR CHEESE (STANDARD MOISTURE BASIS)

Unrestricted use.

Announced prices, under PM-14: 49.125 cents per pound—New York, Pennsylvania, New England, New Jersey, and other States bordering the Atlantic Ocean and Pacific Ocean and the Gulf of Mexico. All other States 48.125 cents per pound.

FOOTNOTES

* The formula price delivery basis for bin site sales will be f.o.b.

* Round product up to the nearest cent.

USDA AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE OFFICES

GRAIN OFFICES

Kansas City ASCS Commodity Office, 8930 Ward Parkway (Post Office Box 205), Kansas City, Mo. 64141. Telephone: Emerson 1-0300.

Alabama, Alaska, Arizona, Arkansas, Colorado, Florida, Georgia, Hawaii, Kansas, Louisiana, Mississippi, Missouri, Nebraska, Nevada, New Mexico, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, and Wyoming (domestic and export), California (domestic only).

Branch Office—Evanston ASCS Branch Office, 2201 Howard Street, Evanston, Ill. 60203. Telephone: Long Distance—University 9-0600 (Evanston Exchange). Local—Rogers Park 1-5000 (Chicago, Ill.).

Connecticut, Delaware, Illinois, Indiana, Iowa, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Virginia, Vermont, and West Virginia.

Branch Office—Minneapolis ASCS Branch Office, 310 Grain Exchange Building, Minneapolis, Minn. 55415. Telephone: 334-2051.

Minnesota, Montana, North Dakota, South Dakota, and Wisconsin.

Branch Office—Portland ASCS Branch Office, 1218 Southwest Washington Street, Portland, Oreg. 97205. Telephone: 226-3361.

Idaho, Oregon, Utah, and Washington (domestic and export sales), California (export sales only).

PROCESSED COMMODITIES OFFICE (ALL STATES)

Minneapolis ASCS Commodity Office, 6400 France Avenue South, Minneapolis, Minn. 55435. Telephone: Area Code 612, 334-3200.

COTTON OFFICES (ALL STATES)

New Orleans ASCS Commodity Office, Wirth Building, 120 Marais Street, New Orleans, La. 70112. Telephone: 527-7766.

GENERAL SALES MANAGER OFFICES

Representative of General Sales Manager, New York Area: Joseph Reiding, 80 Lafayette Street, New York, N.Y. 10013. Telephone: 264-8439, 8440, 8441.

Representative of General Sales Manager, West Coast Area: Callan B. Duffy, Appraisers' Building, Room 802, 630 Sansome Street, San Francisco, Calif. 94111. Telephone: 556-6185.

ASCS STATE OFFICES

Illinois, Room 232, U.S. Post Office and Courthouse, Springfield, Ill. 62701. Telephone: Area Code 217, 525-4180.

Indiana, Room 110, 311 West Washington Street, Indianapolis, Ind. 46204. Telephone: Area Code 317, 633-8521.

Iowa, Room 311, Iowa Building, 505 Sixth Avenue, Des Moines, Iowa 50307. Telephone: Area Code 515, 284-4213.

Kansas, 2601 Anderson Avenue, Manhattan, Kans. 66503. Telephone: Area Code 913, JE 9-3531.

Michigan, 1405 South Harrison Road, East Lansing, Mich. 48823. Telephone: Area Code 517, 372-1910.

Missouri, I.O.O.F. Building, 10th and Walnut Streets, Columbia, Mo. 65201. Telephone: Area Code 314, 442-3111.

Minnesota, Griggs Midway Building, 1821 University Avenue, St. Paul, Minn. 55104. Telephone: Area Code 612, 228-7651.

Montana, Post Office Box 670, U.S.P.O. and Federal Office Building, Bozeman, Mont. 59715. Telephone: Area Code 537, 4511, Ext. 3271.

Nebraska, Post Office Box 793, 5801 O Street, Lincoln, Nebr. 68501. Telephone: Area Code 402, 475-3361.

North Dakota, Post Office Box 2017, 15 South 21st Street, Fargo, N. Dak. 58103. Telephone: Area Code 701, 237-5205.

Ohio, Room 202, Old Federal Building, Columbus, Ohio 43215. Telephone: Area Code 614, 469-5644.

South Dakota, Post Office Box 843, 239 Wisconsin Street SW., Huron, S. Dak. 57350. Telephone: Area Code 605, 352-8651, Ext. 321 or 310.

Wisconsin, Post Office Box 4248, 4601 Hamersley Road, Madison, Wis. 53711. Telephone: Area Code 608, 256-4441, Ext. 7535. (Sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 407, 63 Stat. 1066; sec. 105, 63 Stat. 1051, as amended by 76 Stat. 612; secs. 303, 306, 307, 76 Stat. 614-617; 7 U.S.C. 1441 (note).)

Signed at Washington, D.C., on October 3, 1967.

RAY FITZGERALD,
Acting Executive Vice President,
Commodity Credit Corporation.

[F.R. Doc. 67-11809; Filed, Oct. 6, 1967;
8:45 a.m.]

DEPARTMENT OF TRANSPORTATION

Coast Guard

[CGFR 67-53]

EQUIPMENT, INSTALLATIONS, OR MATERIALS

Approval Notice

1. Various items of lifesaving, fire-fighting, and miscellaneous equipment, installations, and materials used on vessels subject to Coast Guard inspection or on certain motorboats and other pleasure craft are required by various laws and regulations in 46 CFR Chapter I to be of types approved by the Commandant, U.S. Coast Guard. The purpose of this document is to notify all concerned that certain approvals were granted or terminated, as described in this document during the period from June 23, 1967 to July 10, 1967 (List No. 26-67). These actions were taken in accordance with the procedures set forth in 46 CFR 2.75-1 to 2.75-50, inclusive. For certain types of equipment, installation and materials, specifications have been prescribed by the Commandant and are published in 46 CFR Parts 160 to 164, inclusive (Subchapter Q—Specifications).

2. The statutory authorities for granting approvals of equipment and the delegation of authority to the Commandant, U.S. Coast Guard, are set forth with the specific specifications governing the item and are set forth in 46 CFR Parts 160 to 164, inclusive (Subchapter Q—Specifications). The general authorities regarding approvals are set forth in sections 367, 375, 390b, 416, 481, 489, 526p, and 1333, in Title 46, United States Code, section 1333 in Title 43, United States Code and section 198 in Title 50, United States Code while the implementing regulations re-

quiring such equipment are in 46 CFR Chapter I or 33 CFR Chapter I. The delegation of authority for the Commandant, U.S. Coast Guard, to take appropriate actions with respect to approvals is set forth in section 632 of Title 14, United States Code, and subsection 1.4(a), Department of Transportation Order 1100.1, dated March 31, 1967 (49 CFR 1.4(a) (2), 32 F.R. 5606).

3. In this document are listed the approvals which shall be in effect for a period of 5 years from the effective dates indicated unless sooner suspended, terminated, or reissued by proper authority.

DAVITS

Approval no. 160.032/171/1, gravity davit, Type 30-22 MK II, approved for a maximum working load of 22,240 pounds per set (11,120 pounds per arm) using two-part falls, identified by general arrangement dwg. No. D1F-004, Revision D dated June 28, 1967, and drawing list DL-D1F-004 Rev. B dated June 28, 1967, manufactured by Marine Safety Equipment Corp., Foot of Paynter's Road, Farmingdale, N.J. 07727, effective July 7, 1967. (It supersedes Approval no. 160.032/171/0, dated Feb. 14, 1967.)

LIFEBOATS

Approval no. 160.035/16/3, 22.0' x 6.8' x 2.8' steel, oar-propelled lifeboat, 24-person capacity, identified by general arrangement dwg. No. 2224, Rev. B dated June 27, 1967, manufactured by C. C. Galbraith & Son, Inc., Maple Place and Manchester Avenue, Post Office Box 185, Keyport, N.J. 07735, effective June 30, 1967. (It supersedes Approval No. 160.035/16/2, dated Apr. 10, 1962 to show change in construction and address.)

Approval No. 160.035/397/4, 24.0' x 8.0' x 3.5' fibrous glass reinforced plastic (FRP), motor-propelled lifeboat, without radio cabin or searchlight (Class-1), 37-person capacity, identified by general arrangement dwg. No. P-24-ID Rev. I, dated June 27, 1967, manufactured by Marine Safety Equipment Corp., Foot of Paynter's Road, Farmingdale, N.J. 07727, effective June 30, 1967. (It supersedes Approval No. 160.035/397/3, dated Mar. 5, 1965 to show change in construction.)

LIFE PRESERVERS, UNICELLULAR PLASTIC FOAM, ADULT AND CHILD

Approval No. 160.055/72/6, Type IB, Model 63 Adult Cloth-Covered Unicellular Plastic Foam Life Preserver, U.S.C.G. Specification Subpart 160.055 and dwg. No. 160.055-IB (Sheet 1 and 2), approved for use on all vessels and motorboats, manufactured by Liberty Cork Co., Inc., 123 Whitehead Avenue, South River, N.J. 08882, effective July 10, 1967.

Approval No. 160.055/73/0, Type IB, Model 67 Child Cloth-Covered Unicellular Plastic Foam Life Preserver, U.S.C.G. Specification Subpart 160.055 and dwg. No. 160.055-IB (Sheet 3 and 4), approved for use on all vessels and motorboats, manufactured by Liberty Cork Co., Inc., 123 Whitehead Avenue, South River, N.J. 08882, effective July 10, 1967.

INDICATORS, BOILER WATER LEVEL, SECONDARY TYPE

Approval No. 162.025/98/1, Models E 300M, E 301M, E 350M and E, 351M Eye-Hye Secondary Type Boiler Water Level Indicator, Remote Reading, 350 p.s.i. Max. Pressure, dwg. Nos. D-10511 dated September 22, 1966, D-10512 dated September 24, 1966, D-10513 dated September 23, 1966 and D-10514 dated September 26, 1966; these gages utilize ductile iron pressure parts and tubular glasses, manufactured by Clark-Reliance Corp., 15901 Industrial Parkway, Cleveland, Ohio 44135, effective June 23, 1967. (It supersedes Approval No. 162.025/98/0, dated Jan. 29, 1965 to show change in construction.)

Approval No. 162.025/99/0, Models E 700M and E 701M Eye-Hye Secondary Type Boiler Water Level Indicators, Remote Reading, 700 p.s.i. Max. Pressure, dwg. Nos. D-10515 dated September 22, 1966 and D-10516 dated September 26, 1966; these gages utilize cast steel pressure parts and tubular glasses, manufactured by Clark-Reliance Corp., 15901 Industrial Parkway, Cleveland, Ohio 44135, effective June 23, 1967. (It supersedes Approval Nos. 162.025/45/1 through 56/1.)

Dated: September 27, 1967.

W. J. SMITH,
Admiral, U.S. Coast Guard,
Commandant.

[F.R. Doc. 67-11855; Filed, Oct. 6, 1967;
8:47 a.m.]

[CGFR 67-50]

EQUIPMENT, INSTALLATIONS, OR MATERIALS

Approval and Termination of Approval Notice

1. Various items of lifesaving, fire-fighting, and miscellaneous equipment, installations, and materials used on vessels subject to Coast Guard inspection or on certain motorboats and other pleasure craft are required by various laws and regulations in 46 CFR Chapter I to be of types approved by the Commandant, U.S. Coast Guard. The purpose of this document is to notify all concerned that certain approvals were granted or terminated, as described in this document during the period from March 13, 1967, to June 16, 1967 (List Nos. 22-67 to 25-67, inclusive). These actions were taken in accordance with the procedures set forth in 46 CFR 2.75-1 to 2.75-50, inclusive. For certain types of equipment, installation, and materials, specifications have been prescribed by the Commandant and are published in 46 CFR Parts 160 to 164, inclusive (Subchapter Q—Specifications).

2. The statutory authorities for granting approvals of equipment and the delegation of authority to the Commandant, U.S. Coast Guard, are set forth with the specific specifications governing the item and are set forth in 46 CFR Parts 160 to 164, inclusive (Subchapter Q—Specifications). The general authorities

regarding approvals are set forth in sections 367, 375, 390b, 416, 481, 526p, and 1333 in Title 46, United States Code, section 1333 in Title 43, United States Code and section 198 in Title 50, United States Code while the implementing regulations requiring such equipment are in 46 CFR Chapter I. The delegations of authority for the Commandant, U.S. Coast Guard, to take appropriate actions with respect to approvals are set forth in section 632 of Title 14, United States Code, and subsection 1.4(a), Department of Transportation Order 1100.1, dated March 31, 1967 (49 CFR 1.4(a)(2), 32 F.R. 5606).

3. In Part I of this document are listed the approvals which shall be in effect for a period of 5-years from the effective date indicated unless sooner suspended, terminated, or reissued by proper authority.

4. In Part II of this document are listed the approvals which have been terminated. Notwithstanding this termination of approvals of the items as listed in Part II, such equipment may be used so long as it is in good and serviceable condition.

PART I—APPROVALS OF EQUIPMENT, INSTALLATIONS, OR MATERIALS

BUOYANT APPARATUS

Approval No. 160.010/67/0, 715' x 4.0' (10" x 11½" body section) rectangle (peripheral-body type) buoyant apparatus, fibrous glass reinforced plastic (FRP) shell, with unicellular polyurethane foam core, 20-person capacity, dwg. No. 8620-4-67 dated April 3, 1967, manufactured by Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N.Y. 11201, effective May 19, 1967.

Approval No. 160.010/68/0, 5.0' x 2.67' (7½" x 10" body section) peripheral-body type buoyant apparatus, fibrous glass reinforced plastic (FRP) shell with unicellular polyurethane core, five-person capacity, dwg. No. 8705/6/67, dated June 2, 1967, fitted with a net platform, manufactured by Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N.Y. 11201, effective June 16, 1967.

GAS MASKS, SELF-CONTAINED BREATHING APPARATUS AND SUPPLIED-AIR RESPIRATORS

Approval No. 160.011/11/1, ammonia gas mask No. BM-1452, Bureau of Mines Approval No. BM-1452 consisting of Canister BM-1452, Face Piece BM-1408F, Canister Harness BM-1408, for use against ammonia vapors only, manufactured by Davis Emergency Equipment Co., Inc., 45 Halleck Street, Newark, N.J. 07104, effective May 31, 1967. (It is an extension of Approval No. 160.011/11/1 dated Aug. 31, 1962.)

Approval No. 160.011/31/0, M-S-A Chemox One-Half Hour Self-Contained Oxygen-Generating Breathing Apparatus, with or without quick start cartridge, Bureau of Mines Approval No. 13D-13, dwg. No. A-84600, Rev. 11, dated January 26, 1965, manufactured by Mine Safety Appliances Co., 201 North Braddock Avenue, Pittsburgh, Pa. 15208, ef-

fective June 1, 1967. (It supersedes Approval No. 160.011/31/0 dated Aug. 22, 1962, to show minor revision.)

Approval No. 160.011/33/0, M-S-A Chemox One-Hour Self-Contained Oxygen-Generating Breathing Apparatus, Bureau of Mines Approval No. 1307, dwg. No. A-87500, Rev. 8 dated August 3, 1966, manufactured by Mine Safety Appliances Co., 201 North Braddock Avenue, Pittsburgh, Pa. 15208, effective June 1, 1967. (It supersedes Approval No. 160.011/33/0 dated Aug. 22, 1962, to show minor revision.)

WINCHES, LIFEBOATS

Approval No. 160.015/58/1, Type G. W. lifeboat winch; approval is limited to mechanical components only, and for a maximum working load of 11,000 pounds pull at the drums (5,500 pounds per fall); identified by general arrangement drawing No. 1494-1, Revision A dated January 31, 1967, and drawing list dated June 8, 1967, manufactured by C. C. Galbraith & Son, Inc., Maple Place and Manchester Avenue, Post Office Box 185, Keyport, N.J. 07735, effective June 8, 1967. (It reinstates and supersedes Approval No. 160.015/58/0 terminated July 17, 1957.)

SIGNALS, DISTRESS, PISTOL-PROJECTED PARACHUTE RED FLARE

Approval No. 160.024/5/0, aluminum shell pistol-projected parachute red flare cartridge distress signal, assembly dwg. No. A-3530, dated January 17, 1947, manufactured by Signal Pyrotechnic Co., 4041 Whiteside Street, Los Angeles, Calif. 90063, effective June 6, 1967. (It is an extension of Approval No. 160.024/5/0 dated Aug. 27, 1962.)

WATER, EMERGENCY DRINKING (IN HERMETICALLY SEALED CONTAINERS)

Approval No. 160.026/29/1, container for emergency provisions, MacDonald-Bernier Co. dwg. No. 1 dated May 1, 1967 and Rev. May 15, 1967, packed by Farm Fresh Packing Corp., Summit Street, Post Office Box 337, Hightstown, N.J. 08520, for MacDonald-Bernier Co., Inc., 305 Main Street, Charlestown, Mass. 02129, effective May 15, 1967. (It supersedes Approval No. 160.026/29/0 dated Nov. 1, 1962, to show change in packers.)

LIFEBOATS

Approval No. 160.027/70/0, 7.0' x 3.16' (9" x 11½" body section) rectangular lifeboat, fibrous glass reinforced plastic (FRP) shell with unicellular polyurethane foam core, 11-person capacity, dwg. No. 8611/11/66 dated November 31, 1966 and revised May 16, 1967, manufactured by Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N.Y. 11201, effective May 16, 1967.

SIGNAL PISTOLS FOR PARACHUTE RED FLARE DISTRESS SIGNALS

Approval No. 160.028/6/3, signal pistol dwg. Nos. SP-100 revised April 6, 1957, and SP-150 revised May 31, 1956, manufactured by Signal Pyrotechnic Co., 4041 Whiteside Street, Los Angeles, Calif. 90063, effective June 5, 1967. (It is an

extension of Approval No. 160.028/6/3 dated Aug. 3, 1962.)

DAVITS

Approval No. 160.032/173/0, gravity davit, Type 26-15; approved for a maximum working load of 15,000 pounds per set (7,500 pounds per arm) using two-part falls; identified by general arrangement dwg. D1-F-006, Revision C dated April 14, 1967, and drawing list D1-DIF-006, dated April 28, 1967, manufactured by Marine Safety Equipment Corp., Foot of Paynter's Road, Farmingdale, N.J. 07727, effective May 18, 1967.

HAND PROPELLING GEAR, LIFEBOAT

Approval No. 160.034/10/2, Type X, hand-propelling gear identified by assembly dwg. No. 99-2, revision B dated April 12, 1957, manufactured by Marine Safety Equipment Corp., Foot of Paynter's Road, Farmingdale, N.J. 07727, effective June 1, 1967. (It is an extension of Approval No. 160.034/10/2 dated Aug. 3, 1962.)

LIFEBOATS

Approval No. 160.035/10/3, 14.0' x 5.2' x 2.3' steel, oar-propelled lifeboat, eight-person capacity, identified by general arrangement dwg. No. G-1408 dated August 20, 1951, and revised May 9, 1967; approval limited to seagoing barges, lakes, bays, sounds, and rivers, manufactured by C. C. Galbraith & Son, Inc., Maple Place & Manchester Avenue, Post Office Box 185, Keyport, N.J. 07735, effective May 25, 1967. (It supersedes Approval No. 160.035/10/2 dated May 29, 1962, to show change in construction and address.)

Approval No. 160.035/85/2, 12.0' x 4.4' x 1.9' steel, oar-propelled lifeboat, four-person capacity, identified by general arrangement dwg. No. 49R-1213 dated August 16, 1951 and revised March 1, 1967; approved for use on vessels in bays, sounds, and lakes; and rivers. Approved for six-person capacity as replacement lifeboat. If mechanical disengaging apparatus is installed, it shall be of an approved type and installed in accordance with drawings approved by the Commandant. Manufactured by Lane Lifeboat & Davit Corp., 150 Sullivan Street, Brooklyn, N.Y. 11231, effective March 13, 1967. (It supersedes Approval No. 160.035/85/1 dated Mar. 13, 1962, to show change in construction and address.)

Approval No. 160.035/91/3, 18.0' x 6.0' x 2.6' steel, oar-propelled, lifeboat, 13-person capacity, identified by general arrangement and construction dwg. No. 49R-1815, dated August 8, 1951 and revised March 27, 1967, manufactured by Lane Lifeboat & Davit Corp., 150 Sullivan Street, Brooklyn, N.Y. 11231, effective May 29, 1967. (It supersedes Approval No. 160.035/91/2 dated May 29, 1962, to show change in construction and address.)

Approval No. 160.035/216/4, 14.0' x 5.0' x 2.17' steel, oar-propelled lifeboat, six-person capacity, identified by construction and arrangement dwg. No. 14-1, Rev. I dated May 31, 1967; approved for use on vessels in Great Lakes, bays, sounds and lakes, and river service, as well as for use on seagoing barges and

certain coastwise tank barges, if mechanical disengaging apparatus is fitted, it shall be an approved type and the installation in this particular lifeboat shall be approved by the Commandant. Approved for nine-person capacity as replacement lifeboat. Manufactured by Marine Safety Equipment Corp., Foot of Paynter's Road, Farmingdale, N.J. 07727, effective June 15, 1967. (It supersedes Approval No. 160.035/216/3 dated June 8, 1966, to show reduced capacity.)

Approval No. 160.035/270/3, 16.0' x 5.0' x 2.08' steel, oar-propelled lifeboat, eight-person capacity, identified by construction and arrangement drawing No. 16-2 Rev. H dated May 31, 1967; approved for service on vessels other than ocean and coastwise. If mechanical disengaging apparatus is fitted, it shall be of an approved type and the installation in this particular lifeboat shall be approved by the Commandant. Approved for 10-person capacity as replacement lifeboat. Manufactured by Marine Safety Equipment Corp., Foot of Paynter's Road, Farmingdale, N.J. 07727, effective June 15, 1967. (It supersedes Approval No. 160.035/270/2 dated July 1, 1966, to show reduced capacity.)

Approval No. 160.035/348/1, 12.0' x 4.4' x 1.9' aluminum oar-propelled lifeboat, four-person capacity, identified by general arrangement dwg. No. 52-1217 dated December 17, 1952 and revised April 10, 1967; approved for use on vessels in bays, sounds, and lakes; and rivers. Approved for six-person capacity as replacement lifeboat. If mechanical disengaging apparatus is installed, it shall be of an approved type and installed in accordance with drawings approved by the Commandant. Manufactured by Lane Lifeboat & Davit Corp., 150 Sullivan Street, Brooklyn, N.Y. 11231, effective April 10, 1967. (It supersedes Approval No. 160.035/348/0 dated Apr. 10, 1962, to show change in construction and address.)

Approval No. 160.035/360/1, 16.0' x 6.0' x 2.5' steel, oar-propelled lifeboat, 11-person capacity identified by construction and arrangement dwg. No. 16-5, Rev. C dated May 31, 1967, approved for 15-person capacity as replacement lifeboat. Manufactured by Marine Safety Equipment Corp., Foot of Paynter's Road, Farmingdale, N.J. 07727, effective June 16, 1967. (It supersedes Approval No. 160.035/360/0 dated July 3, 1963, to show change in construction and address.)

Approval No. 160.035/439/1, 12.0' x 4.42' x 1.75' oar-propelled F.R.P. lifeboat, four-person capacity, identified by construction and arrangement drawing 12-5, Rev. E dated May 26, 1967; approved for use on vessels in bays, sounds, and lakes; and river service. If mechanical disengaging apparatus is fitted, it shall be of an approved type and installed in accordance with drawings approved by the Commandant; approved for six-person capacity as replacement lifeboat. Manufactured by Marine Safety Equipment Corp., Foot of Paynter's Road, Farmingdale, N.J. 07727, effective June 7, 1967. (It supersedes Approval No.

160.035/439/0 dated Nov. 30, 1964, to show change in capacity.)

Approval No. 160.035/450/0, 26.0' x 9.0' x 3.83' steel, motor-propelled lifeboat, Class 1, 48-person capacity, identified by general arrangement dwg. No. 2648-D, Rev. C dated June 6, 1967, manufactured by C. C. Galbraith & Son, Inc., Maple Place and Manchester Avenue, Post Office Box 185, Keyport, N.J. 07735, effective June 8, 1967.

PUMPS, BILGE, LIFEBOAT

Approval No. 160.044/4/1, size No. 2 lifeboat bilge pump, identified by general assembly dwg. No. 222-A dated August 8, 1944, and revised August 27, 1962, manufactured by Allied Marine Equipment Corp., Division Tap-Rite Products Corp., 204 Railroad Avenue, Hackensack, N.J. 07601, effective June 6, 1967. (It is an extension of Approval No. 160.044/4/1, dated Sept. 14, 1962.)

BUOYANT VESTS, UNICELLULAR PLASTIC FOAM, ADULT AND CHILD

NOTE: Approved for use on motorboats of Classes A, 1, or 2 not carrying passengers for hire.

Approval No. 160.052/350/0, Type II, Model BVA, adult vinyl-dip coated unicellular plastic foam buoyant vest, dwg. No. 1001, Rev. 1 dated December 23, 1966, manufactured by Texas Water Crafters, Post Office Drawer 539, Wichita Falls, Tex. 76307, for Buddy Schoellkopf Products, Inc., 148 Fordyce Street, Dallas, Tex. 75207, effective May 26, 1967.

Approval No. 160.052/351/0, Type II, Model BVA, adult vinyl-dip coated unicellular plastic foam buoyant vest, dwg. No. 1001, Rev. 1 dated December 23, 1966, manufactured by Texas Water Crafters, Post Office Drawer 539, Wichita Falls, Tex. 76307, for ZEBCO Division, Brunswick Corp., Post Office Box 270, 6101 East Apache Street, Tulsa, Okla. 74101, effective May 26, 1967.

WORK VESTS, UNICELLULAR PLASTIC FOAM

Approval No. 160.053/8/2, unicellular plastic foam work vest, as per Military Specification MIL-L-17653B and U.S.C.G. Specification Subpart 160.053, and Safeguard Corp. Dwg. No. LP-17 dated May 16, 1967, manufactured by the Safeguard Corp., Box 14037, Post Office Annex, Cincinnati, Ohio 45214, effective June 9, 1967. (It supersedes Approval No. 160.053/8/1 dated Mar. 4, 1966 to show change in construction.)

LIFE PRESERVERS, UNICELLULAR PLASTIC FOAM, ADULT AND CHILD

Approval No. 160.055/68/0, Type IB, Model 63, adult cloth-covered unicellular plastic foam life preserver U.S.C.G. Specification Subpart 160.055 and dwg. No. 160.055-IB (Sheet 1 and 2), approved for use on all vessels and motorboats, manufactured by Crawford Manufacturing Co., Third and Decatur Streets, Richmond, Va. 23212, effective May 25, 1967.

Approval No. 160.055/69/0, Type IB, Model 67, child cloth-covered unicellular plastic foam life preserver, U.S.C.G. Specification Subpart 160.055 and dwg. No. 160.055-IB (Sheet 3 and 4), approved

for use on all vessels and motorboats, manufactured by Crawford Manufacturing Co., Third and Decatur Streets, Richmond, Va. 23212, effective May 25, 1967.

SAFETY VALVES (POWER BOILERS)

Approval No. 162.001/91/2, Series No. 200 steel body pop safety valve, enclosed spring, expanded outlet, maximum pressure 600 p.s.i., maximum temperature 4,500° F., dwg. No. P-20119-B, Rev. A dated May 15, 1967, approved for sizes 1½", 2", 2½", 3", and 4", manufactured by MIFCO Division of Clark-Reliance Corp., 15901 Industrial Parkway, Cleveland, Ohio 44135, effective June 12, 1967. (It supersedes Approval No. 162.001/91/1 dated July 9, 1962, to show change of name and address of manufacturer and construction.)

Approval No. 162.001/92/2, Series No. 200-E steel body pop safety valve, exposed spring, expanded outlet, maximum pressure 600 p.s.i., maximum temperature 750° F., dwg. No. P-20120-B, Rev. A dated May 15, 1967, approved for sizes 1½", 2", 2½", 3", and 4", manufactured by MIFCO Division of Clark-Reliance Corp., 15901 Industrial Parkway, Cleveland, Ohio 44135, effective June 12, 1967. (It supersedes Approval No. 162.001/92/1 dated July 9, 1962, to show change of name and address of manufacturer and construction.)

Approval No. 162.001/94/2, Series No. 210 steel body pop safety valve, enclosed spring, standard outlet, maximum pressure 600 p.s.i., maximum temperature 450° F., dwg. No. P-20119-B, Rev. A dated May 15, 1967, approved for sizes 1½", 2", 2½", 3", and 4", manufactured by MIFCO Division of Clark-Reliance Corp., 15901 Industrial Parkway, Cleveland, Ohio 44135, effective June 12, 1967. (It supersedes Approval No. 162.001/94/1 dated July 9, 1962, to show change of name and address of manufacturer and construction.)

Approval No. 162.001/95/2, Series No. 210-E steel body pop safety valve, exposed spring, standard outlet, maximum pressure 600 p.s.i., maximum temperature 750° F., dwg. No. P-20120-B, Rev. A dated May 15, 1967, approved for sizes 1½", 2", 2½", and 4", manufactured by MIFCO Division of Clark-Reliance Corp., 15901 Industrial Parkway, Cleveland, Ohio 44135, effective June 12, 1967. (It supersedes Approval No. 162.001/95/1 dated July 9, 1962, to show change of name and address of manufacturer and construction.)

Approval No. 162.001/98/2, Series No. 5-102, bronze body pop safety valve, enclosed spring, maximum pressure 300 p.s.i., maximum temperature 450° F., dwg. No. 5-102, Rev. A dated May 9, 1967, approved for sizes 1½", 2", 2½", and 3", manufactured by MIFCO Division of Clark-Reliance Corp., 15901 Industrial Parkway, Cleveland, Ohio 44135, effective June 12, 1967. (It supersedes Approval No. 162.001/98/1 dated July 9, 1962, to show change of name and address of manufacturer and construction.)

Approval No. 162.001/99/2, Series No. 5-101, bronze body pop safety valve, enclosed spring, maximum pressure 150 p.s.i., maximum temperature 366° F., dwg. No. 5-101, Rev. A dated May 8, 1967, approved for sizes 1½", 2", 2½", and 3", manufactured by MIPCO Division of Clark-Reliance Corp., 15901 Industrial Parkway, Cleveland, Ohio 44135, effective June 12, 1967. (It supersedes Approval No. 162.001/99/1 dated July 9, 1962, to show change of name and address of manufacturer and construction.)

Approval No. 162.001/177/1, Series 100-E cast steel body safety valve, 600 p.s.i. maximum pressure, 650° F. maximum temperature, dwg. No. D-100-E, Rev. A dated May 16, 1967, approved for sizes 1½", 2", 2½", 3", and 4", manufactured by MIPCO Division of Clark-Reliance Corp., 15901 Industrial Parkway, Cleveland, Ohio 44135, effective June 12, 1967. (It supersedes Approval No. 162.001/177/0 dated July 9, 1962, to show change of name and address of manufacturer and construction.)

Approval No. 162.001/178/1, Series 110-E cast steel body safety valve, 600 p.s.i. maximum pressure, 650° F. maximum temperature, dwg. No. D-100-E, Rev. A dated May 16, 1967, approved for sizes 1½", 2", 2½", 3", and 4", manufactured by MIPCO Division of Clark-Reliance Corp., 15901 Industrial Parkway, Cleveland, Ohio 44135, effective June 12, 1967. (It supersedes Approval No. 162.001/178/0 dated July 9, 1962, to show change of name and address of manufacturer and construction.)

Approval No. 162.001/179/1, Series 100-HT cast steel body safety valve, 600 p.s.i. maximum pressure, 750° F. maximum temperature, dwg. No. D-100-HT, Rev. A dated May 16, 1967, approved for sizes 1½", 2", 2½", 3", and 4", manufactured by MIPCO Division of Clark-Reliance Corp., 15901 Industrial Parkway, Cleveland, Ohio 44135, effective June 12, 1967. (It supersedes Approval No. 162.001/179/0 dated July 9, 1962, to show change of name and address of manufacturer and construction.)

Approval No. 162.001/180/1, Series 110-HT cast-steel body safety valve, 600 p.s.i. maximum pressure, 750° F. maximum temperature, dwg. No. D-100-HT, Rev. A dated May 16, 1967, approved for sizes 1½", 2", 2½", 3", and 4", manufactured by MIPCO Division of Clark-Reliance Corp., 15901 Industrial Parkway, Cleveland, Ohio 44135, effective June 12, 1967. (It supersedes Approval No. 162.001/180/0 dated July 9, 1962, to show change of name and address of manufacturer and construction.)

Approval No. 162.001/181/1, Series 100 cast-steel body safety valve, 600 p.s.i. maximum pressure, 450° F. maximum temperature, dwg. No. D-100, Rev. A dated May 15, 1967, approved for sizes 1½", 2", 2½", 3", and 4", manufactured by MIPCO Division of Clark-Reliance Corp., 15901 Industrial Parkway, Cleveland, Ohio 44135, effective June 12, 1967. (It supersedes Approval No. 162.001/181/0 dated July 9, 1962, to show change

of name and address of manufacturer and construction.)

Approval No. 162.001/182/1, Series 110 cast-steel body safety valve, 600 p.s.i. maximum pressure, 450° F. maximum temperature, dwg. No. D-100, Rev. A dated May 15, 1967, approved for sizes 1½", 2", 2½", 3", and 4", manufactured by MIPCO Division of Clark-Reliance Corp., 15901 Industrial Parkway, Cleveland, Ohio 44135, effective June 12, 1967. (It supersedes Approval No. 162.001/182/0 dated July 9, 1962, to show change of name and address of manufacturer and construction.)

VALVES, PRESSURE-VACUUM RELIEF AND SPILL

Approval No. 162.017/94/0, Model No. 53-35F pressure-vacuum relief valve, enclosed pattern, flanged inlet, weight-loaded discs, bronze construction, dwg. No. E-11002 dated March 27, 1962, approved for 5-inch pipe size, formerly Tate Engineering, Inc., manufactured by Tate Industries, Inc., 516 South Eutaw Street, Baltimore, Md. 21201, effective June 13, 1967. (It is an extension of Approval No. 162.017/94/0 dated Sept. 14, 1962, and change of name of manufacturer.)

NOZZLES, FIRE HOSE, COMBINATION SOLID STREAM AND WATER SPRAY (1½" AND 2½")

Approval No. 162.027/2/1, Rockwood 1½" SG70 combination solid stream and water spray fire hose nozzle, 1½" Type TCG high velocity head, and either 10'-90° Type CGC, 10'-90° CGG, 4'-60° Type CGC, or 4'-60° Type CGG applicator with Type T-11 low-velocity head; dwg. Nos. S-4787 dated February 9, 1955; S-4352, Rev. B dated June 21, 1956; S-6742 dated October 23, 1959; S-6748 dated October 23, 1959; S-6740 dated October 23, 1959; S-6744 dated October 23, 1959; and S-6738 dated October 19, 1959; plant: 1238 Chestnut Street, Newton, Mass. 02164; applicators were formerly Type CG; low-velocity head was formerly Type T-11A; due to orifice sizes, no special self-cleaning strainer is required; formerly Rockwood Sprinkler Co., manufactured by Bliss-Gamewell, a division of the E. W. Bliss Co., 209 West Central Street, Natick, Mass. 01760, effective May 18, 1967. (It supersedes Approval No. 162.027/2/1 dated Mar. 16, 1965, to show change in name and address of manufacturer.)

Approval No. 162.027/3/1, Rockwood 2½" SG70 combination solid stream and water spray fire hose nozzle, 2½" Type TCG high-velocity head, and 12'-30° Type CGC or Type CGG applicator with Type T-10 low-velocity head; dwg. Nos. S-4992 dated September 8, 1955; S-4993 dated September 8, 1955; S-6741 dated October 23, 1959; S-6743 dated October 20, 1959; and S-6733 dated October 16, 1959; plant: 1238 Chestnut Street, Newton, Mass. 02164; applicators were formerly Type CG; low-velocity head was formerly Type T-10A; formerly Rockwood Sprinkler Co., manufactured by Bliss-Gamewell, a division of the E. W. Bliss Co., 209 West Central Street, Natick, Mass. 01760, effective May 18,

1967. (It supersedes Approval No. 162.027/3/1 dated Mar. 16, 1965, to show change in name and address of manufacturer.)

Approval No. 162.027/4/0, 1½" Model CG 15 combination solid stream and water spray fire hose nozzle, Style HV 15 high-velocity head, and either Style 415, 4'-60° applicator or Style 1015, 10'-90° applicator with Style LV 15 low-velocity head, dwg. Nos. 5106 dated December 6, 1956; 5087 dated December 6, 1956; 5134 dated December 31, 1956; 5135 dated December 31, 1956; and 5093 dated December 6, 1956; due to orifice sizes, no special self-cleaning strainer is required. The 4'-60° applicator is intended for nozzle installations in propulsion machinery spaces containing oil-fired boilers, internal combustion machinery, or fuel units. Manufactured by Akron Brass Manufacturing Co., Inc., Wooster, Ohio 44692, effective May 18, 1967. (It is an extension of Approval No. 162.027/4/0 dated May 29, 1962.)

Approval No. 162.027/5/0, 2½" Model CG 25 combination solid stream and water spray fire hose nozzle, Style HV 25 high-velocity head, and Style 1225, 12'-90° applicator with Style LV 25 low-velocity head, dwg. Nos. 5107 dated December 7, 1956; 5090 dated December 6, 1956; 5136 dated December 31, 1956; and 5098 dated December 6, 1956; due to orifice sizes, no special self-cleaning strainer is required, manufactured by Akron Brass Manufacturing Co., Inc., Wooster, Ohio 44692, effective May 18, 1967. (It is an extension of Approval No. 162.027/5/0 dated May 29, 1962.)

Approval No. 162.027/8/0, Rockwood 1½" SG71 combination solid stream and water spray fire hose nozzle, 1½" Type TCG high-velocity head, and either 10'-90° Type CGC, 10'-90° CGG, 4'-60° Type CGC, or 4'-60° Type CGG applicator with Type T-11 low-velocity head; dwg. Nos. 10-07832, Rev. B dated June 27, 1966; S-4352, Rev. B dated June 21, 1956; S-6742 dated October 23, 1959; S-6748 dated October 23, 1959; S-6740 dated October 23, 1959; S-6744 dated October 23, 1959; and S-6738 dated October 19, 1959; plant: 1238 Chestnut Street, Newton, Mass. 02164; applicators were formerly Type CG; low-velocity head was formerly Type T-11A; due to orifice sizes, no special self-cleaning strainer is required; manufactured by Bliss-Gamewell, a division of the E. W. Bliss Co., 209 West Central Street, Natick, Mass. 01760, effective May 18, 1967.

FIRE EXTINGUISHING SYSTEMS, FOAM TYPE

Approval No. 162.033/3/0, pyrene marine air foam systems using Pyrene Foam Compound, Type R-2 (6 percent low expansion) design data book JF-1758, Rev. 6 dated February 12, 1962, manufactured by The Fyr-Fyter Co., 221 Crane Street, Dayton, Ohio 45403; plant: Newark, N.J., effective May 15, 1967. (It is an extension of Approval No. 162.033/3/0 dated May 15, 1962.)

Approval No. 162.033/5/0, Rockwood Marine Air Foam Systems using Rockwood Regular Foam Liquid (6 percent Low Expansion), design data booklet No. S-7008, Rev. 6 dated November 15, 1965;

plant: 1238 Chestnut Street, Newton, Mass. 02164, formerly Bliss-Rockwood, manufactured by Bliss-Gamewell, a division of E. W. Bliss Co., 209 West Central Street, Natick, Mass. 01760, effective May 15, 1967. (It supersedes Approval No. 162.033/5/0 dated Dec. 20, 1965, to show change in name and address of manufacturer.)

Approval No. 162.033/6/0, Rockwood Marine Air Foam Systems using Rockwood Double Strength Foam Liquid (3 percent Low Expansion), design data booklet No. S-7009, Rev. 5 dated November 15, 1965; plant: 1238 Chestnut Street, Newton, Mass. 02164, formerly Bliss-Rockwood; manufactured by Bliss-Gamewell, a division of E. W. Bliss Co., 209 West Central Street, Natick, Mass. 01760, effective May 15, 1967. (It supersedes Approval No. 162.033/6/0 dated Dec. 20, 1965, to show change in name and address of manufacturer.)

BACKFIRE FLAME CONTROL: ENGINE AIR AND FUEL INDUCTION SYSTEMS; FOR MERCHANT VESSELS AND MOTORBOATS

Approval No. 162.042/3/0, OMC 6-horsepower power head, OMC Model CD-25C, fuel induction arrangement provides backfire flame protection equivalent to that of an effective backfire flame arrester, uses Reed valve air induction, manufactured by Outboard Marine Corp., 300 Pershing Road, Waukegan, Ill. 60086, effective June 12, 1967.

DECK COVERINGS

Approval No. 164.006/3/1, Asbestolith magnesite type deck covering identical to that described in National Bureau of Standards Test Report No. TG-3610-1214: F.R. 1778 dated July 2, 1940, approved for use without other insulating material as meeting Class A-60 requirements in a 1½" thickness, manufactured by Asbestolith Manufacturing Corp., 257 Kent Street, Brooklyn, N.Y. 11222, effective June 8, 1967. (It is an extension of Approval No. 164.006/3/1 dated Sept. 30, 1962.)

INCOMBUSTIBLE MATERIALS

Approval No. 164.009/104/0, "Foam-glas" cellulated glass type incombustible material identical to that described in National Bureau of Standards letter file 10.2/10.2, FP 2628 dated August 25, 1948, Pittsburgh Corning letter dated June 5, 1967, and U.S.C.G. letter 5946/164.009/104 dated June 9, 1967, approved in a 7 through 10 pounds per cubic foot density, plant: Port Allegany, Pa., and Sedalia, Mo., manufactured by Pittsburgh Corning Corp., 1 Gateway Center, Pittsburgh, Pa. 15222, effective June 9, 1967.

PART II—TERMINATIONS OF APPROVALS OF EQUIPMENT, INSTALLATIONS OR MATERIALS

BUOYS, LIFE, RING, CORK OR Balsa WOOD

The Dodge Cork Co., Inc., Lancaster, Pa. 17604, no longer manufactures certain cork ring life buoys and therefore Approval Nos. 160.009/25/0 and 160.009/26/0 are terminated, effective April 28, 1967.

DAVITS

The C. C. Galbraith & Son, Inc., 99 Park Place, New York 7, N.Y., Approval No. 160.032/127/0 for a particular lifeboat davit has expired and is therefore terminated, effective June 14, 1967.

BUOYANT CUSHIONS, KAPOK OR FIBROUS GLASS, ADULT AND CHILD

Note: Approved for use on motorboats of Classes A, 1, or 2 not carrying passengers for hire.

The A. Goldman & Sons, Inc., 625 Broadway, New York 13, N.Y., Approval No. 160.048/93/0 for a certain kapok buoyant cushion has expired and is therefore terminated, effective May 29, 1967.

The Imperial Sports, 205 Bellville Avenue, Bloomfield, N.J., Approval No. 160.048/95/0 for a certain kapok buoyant cushion has expired and is therefore terminated, effective May 29, 1967.

DECK COVERINGS

The Lorentzen Co., 1155 Fifth Street, Oakland, Calif. 94607, Approval No. 164.006/28/0 for a particular magnesite type deck covering has expired and is therefore terminated, effective June 14, 1967.

BULKHEAD PANELS

The Marinite, Ltd., 25 and 27 North Row, London W. 1, England (Plant: Germiston, Glasgow), Approval Nos. 164.008/50/0 and 164.008/51/0 have expired and are therefore terminated, effective May 31, 1967.

Dated: September 29, 1967.

P. E. TRIMBLE,
Vice Admiral U.S. Coast Guard,
Acting Commandant.

[F.R. Doc. 67-11856; Filed, Oct. 6, 1967;
8:47 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-307]

DEPARTMENT OF WATER AND POWER OF THE CITY OF LOS ANGELES

Notice of Filing of Application for Construction Permit and Facility License

The Department of Water and Power of the City of Los Angeles, 111 North Hope Street, Post Office Box 111, Los Angeles, Calif. 90054, pursuant to section 104(b) of the Atomic Energy Act of 1954, as amended, has filed an application, dated August 31, 1967, for authorization to construct and operate a light water cooled and moderated nuclear power reactor at a proposed site on a manmade island to be constructed offshore of the Bolsa Chica Beach State Park in Orange County, Calif., located approximately 26 miles from the Civic Center of Los Angeles, Calif.

The proposed nuclear reactor facility is to be a part of the proposed Bolsa Island Nuclear Power and Desalting Plant.

The Bolsa Island project will consist of two complete nuclear powerplants supplying steam to produce approximately 1,800 megawatts (electrical) and 150 million gallons of distilled water per day. Each nuclear steam supply system will be designed to produce not more than 3,400 megawatts (thermal). Southern California Edison Co. and San Diego Gas & Electric Co. (Docket No. 50-308) have filed a joint application for authorization to construct and operate an essentially identical, companion single-unit nuclear power reactor at the same site as their part of the Bolsa Island project.

The applicant's submittal includes only the portion of the Preliminary Safety Analysis Report containing a description of the site on which the facility is to be located. A description of the utilization facility will be furnished by appropriate application amendment, after bids received from equipment manufacturers for the nuclear steam supply have been evaluated and a selection has been made.

A copy of the application is available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C.

Dated at Bethesda, Md., this 29th day of September 1967.

For the Atomic Energy Commission.

PETER A. MORRIS,
Director,

Division of Reactor Licensing.

[F.R. Doc. 67-11840; Filed, Oct. 6, 1967;
8:45 a.m.]

[Docket No. 50-308]

SOUTHERN CALIFORNIA EDISON CO. AND SAN DIEGO GAS & ELECTRIC CO.

Notice of Filing of an Application for Construction Permit and Facility License

Southern California Edison Co., 601 West Fifth Street, Post Office Box 351, Los Angeles, Calif. 90053, and San Diego Gas & Electric Co., Sixth and "E" Street, Post Office Box 1831, San Diego, Calif. 92112, pursuant to section 104(b) of the Atomic Energy Act of 1954, as amended, have filed a joint application dated August 31, 1967, for authorization to construct and operate a light water cooled and moderated nuclear power reactor at a proposed site on a manmade island to be constructed offshore of the Bolsa Chica Beach State Park in Orange County, Calif., located approximately 26 miles from the Civic Center of Los Angeles, Calif.

The proposed nuclear reactor facility, is to be a part of the proposed Bolsa Island Nuclear Power and Desalting Plant. The Bolsa Island project will consist of two complete nuclear powerplants supplying steam to produce approximately 1,800 megawatts (electrical) and 150 million gallons of distilled water each day. Each nuclear steam supply system will be designed to produce not more than 3,400 megawatts (thermal). The Department of Water and Power of the

City of Los Angeles (Docket No. 50-307) has filed a similar application for authorization to construct and operate an essentially identical, companion single-unit nuclear power reactor at the same site as their part of the Bolsa Island project.

The applicant's submittal includes only the portion of the Preliminary Safety Analysis Report containing a description of the site on which the facility is to be located. Plant design details and definitive cost figures will be unavailable until the bids received have been evaluated and a selection has been made. The applicant will furnish the Commission with the missing information on the proposed utilization facility as soon as the information is available.

A copy of the application is available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C.

Dated at Bethesda, Md., this 29th day of September 1967.

For the Atomic Energy Commission.

PETER A. MORRIS,
Director,

Division of Reactor Licensing.

[F.R. Doc. 67-11841; Filed, Oct. 6, 1967;
8:45 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 17869 etc.; Order No. E-25771]

AIRPORT AUTHORITY OF CITY OF OMAHA AND OMAHA CHAMBER OF COMMERCE ET AL.

Order Regarding Additional Air Service

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 3d day of October 1967.

Application and Petition of Airport Authority of The City of Omaha and the Omaha Chamber of Commerce for additional certificated air service, Docket 17869; Service to Omaha Case, Docket 18401; Omaha-Des Moines Transcontinental Service Investigation, Docket 19073.

This proceeding was instituted by order of the Board dated April 13, 1967 (Order E-24977) for the purpose of determining whether the public convenience and necessity require the authorization of unrestricted nonstop service between Omaha, Nebr., on the one hand, and Chicago, Denver, Kansas City, Minneapolis/St. Paul, the coterminal points Seattle and Portland, and St. Louis on the other. The order provided that in the event of an award of authority to a carrier not presently authorized to provide service in the market, the new authority will be granted in the form of a separate segment to the carrier's existing certificate.

Petitions and motions for reconsideration and modification of the aforesaid order of investigation have been filed by

eight carriers¹ and eight civic parties and airport commissions.² National Airlines, Inc., filed a motion to file an unauthorized document for conditional leave to intervene in the event the proceeding is expanded and National and several other carrier parties request permission to file applications and motions to consolidate in the event the proceeding is expanded to include north-eastern, south-western, and other markets.

The petitions and motions for reconsideration and modification seek to expand the scope of the investigation to include the various issues set forth in the margin below.³ Applications and motions to consolidate were also filed by 11 carriers and five civic parties which are identified and described in Appendix A⁴ attached hereto and made a part hereof.⁴

The applications, petitions, and motions propose an expansion of the scope of the present proceeding which would blanket virtually all of the United States

¹ American Airlines, Inc., Braniff Airways, Inc., Continental Air Lines, Inc., Delta Air Lines, Inc., Eastern Air Lines, Inc., Frontier Airlines, Inc., Trans World Airlines, Inc., and Western Air Lines, Inc.

² The cities and Chambers of Commerce of Dallas and Fort Worth, Tex.; the city, county, and Chamber of Commerce of Denver, Colo.; the Chamber of Commerce of Des Moines, Iowa; the city and Chamber of Commerce of Kansas City, Mo.; the city and Airport Commission of Lincoln, Nebr.; the city and Chamber of Commerce of Omaha, Nebr., and the Omaha Airport Authority; the city of Philadelphia, Pa.; and the Utah agencies representing the Utah State Industrial Promotion Commission, the Utah State Aeronautics Commission, and the Salt Lake City Chamber of Commerce.

³ A. Unrestricted nonstop service between Omaha and Los Angeles-San Francisco-New York-Washington-Baltimore-Philadelphia-Detroit-Boston-Dallas/Fort Worth-Houston-San Antonio.

B. (1) Exclusion of Omaha-St. Louis issue or imposition of pretrial restriction against single-plane service between Omaha and the southeastern points named in paragraph B(2) below, or

(2) Inclusion of an issue of service between Omaha and St. Louis-Nashville-Memphis-Birmingham-Huntsville-Atlanta-Orlando-Miami.

C. Elimination of the pretrial restriction in ordering paragraph 2 of the Board's order of investigation that any new authority shall be awarded as a separate segment in the carrier's certificate.

D. Modification of existing restrictions in carriers' certificates which would affect their operating flexibility at Omaha.

E. The inclusion of issues of service between:

(1) Minneapolis/St. Paul and Kansas City-Denver.

(2) Lincoln and Chicago-St. Louis-Minneapolis/St. Paul-Seattle/Portland.

(3) Des Moines and Chicago-Denver-Kansas City-Minneapolis/St. Paul-Seattle/Portland-St. Louis-Los Angeles-San Francisco-New York-Washington/Baltimore-Philadelphia-Detroit-Cleveland-Boston.

F. Investigation of air service at Salt Lake City.

⁴ Filed as part of the original document.

⁵ Several of these motions to consolidate propose still further expansions of the scope of the case, beyond those set forth in footnote 3, supra.

with additional service. Most of them propose services between Omaha and points outside the relatively limited geographic area we outlined in Order E-24977—beyond Chicago to the principal cities of the northeast and Atlantic Coast; beyond St. Louis to the south-east; beyond Kansas City to Texas points; beyond Denver to California. Various civic parties propose services either in non-Omaha markets or in Omaha markets outside the designated scope of the proceeding. The Omaha parties, in addition to seeking service to numerous points outside the designated area, request (1) the elimination of the separate-segment pretrial restriction imposed by our prior order, thus permitting consideration of the inclusion of Omaha without restriction as an intermediate point on existing carrier routes, and (2) consideration of the modification of carriers' existing certificate restrictions which might affect their operating flexibility in serving Omaha.

We have considered carefully all of these documents together with the answers of the parties. We have concluded, for reasons to be discussed hereinafter, to set down a separate proceeding to consider the needs of Omaha and Des Moines for additional service to their principal points of interest on the east and west coasts. With regard to the scope of the present proceeding, however, we have concluded that, with the exception of Omaha's request to include an issue of modifying condition (29) of TWA's certificate for Route 2, and the motion of National to file an otherwise unauthorized document, all of the petitions and motions should be denied. The parties have submitted no new or cogent reasons to warrant such a massive expansion of the present proceeding which if granted would transform it into a combination transcontinental-area type proceeding with issues so complex that they would unduly delay disposition of the case. Several of the civic parties propose issues of service completely unrelated to the basic issue of service to Omaha, while other proposals, such as the removal of the separate-segment pretrial restriction to permit designation of Omaha as an unrestricted intermediate point on existing carrier routes and the placing in issue of all existing certificate restrictions which might in any way affect service to Omaha, would raise questions of service in such a vast number of markets that it would be difficult to even identify all of them, or to develop an adequate record.

Lincoln has not established that the proposed improvements in Omaha service would have such an adverse effect as it contends upon its own service. While it is recognized that, because of its proximity to Omaha, Lincoln is in a less fortunate position than Omaha in being able to attract better quantity and quality of service, there are no facts to substantiate its charge that it will be prejudiced by prior improvements of service at Omaha or that this would preclude a subsequent award of authority in the proposed Lincoln markets. We

will, of course, grant Lincoln's alternate request for intervention so that it can protect its interest in this proceeding.

We are not persuaded by the petition of the Omaha parties that we should place in issue the modification of all existing certificate restrictions which might have some bearing on various carriers' ability to serve Omaha—a course which would lead the proceeding far afield. However, there is one such restriction whose modification should be placed in issue in order to avoid a possible frustration of one of our basic purposes in setting down this case for hearing, which is to make possible single-plane service between Omaha and points in the southeastern United States via the St. Louis gateway. Condition (29) of TWA's certificate for Route 2 precludes single-plane service between points on Segment 6 thereof (St. Louis-Miami via intermediates), other than St. Louis, and points west of Kansas City.⁵ Since Omaha is west of Kansas City, this restriction if not modified would prevent TWA from offering single-plane service between Omaha and southeast points on its Segment 6. Accordingly, we shall put in issue, in the event TWA is awarded an Omaha-St. Louis or Omaha-Kansas City segment the modification of condition (29) so as to except Omaha therefrom.⁶

Braniff argues that the Ashbacker doctrine, as interpreted in the Delta Case,⁷ requires the Board to hear that portion of its application in Docket 18504 which seeks a St. Louis-southeast route extension along with any applications for Omaha-St. Louis service by carriers already certificated for service between St. Louis and southeast points (i.e., Delta, Eastern, and TWA); or, at the very least, to impose a pretrial change-of-plane restriction at St. Louis on any Omaha-southeast authority resulting from this proceeding in order to avoid prejudicing a future hearing on Braniff's application. We are not convinced by Braniff's pleading, or by any facts otherwise known to us, that this portion of Braniff's application and those within the scope of the

case which we propose to hear are in any way mutually exclusive. Braniff's application raises issues of service in 28 St. Louis-southeast markets whose total traffic exceeds many times over that of the seven Omaha-southeast markets the carrier also seeks to serve.⁸ It is evident, therefore, that future favorable consideration of Braniff's application will be dependent on what it can show concerning the needs of the traffic in the far larger St. Louis-southeast markets, and not to any material degree on whether or not a St. Louis-southeast carrier is granted St. Louis-Omaha rights in this proceeding. Accordingly, we find that no case has been made either for consolidation of this portion of Braniff's application herein or imposition of the pretrial change-of-plane restriction it requests. In any event, Braniff will be entitled to show at the hearing, if it can, that mutual exclusivity between its application and those at issue herein exists as a matter of economic fact, or that additional restrictions should be imposed on any certificate authority granted herein.

The other Ashbacker claims put forward herein do not require detailed discussion, and we find them without merit. As will be seen hereinafter, the basis for Western's claim is removed by our action in initiating a separate Omaha-Des Moines long-haul case and eliminating from this case the issue of single-plane Omaha-Los Angeles service.

Accordingly, we will grant those motions and petitions which request the inclusion in this proceeding of the issue of modification of condition (29) of TWA's certificate for Route 2, and the consolidation of applications or portions thereof conforming to the scope of the investigation as thus modified. We will also grant National's motion to file an otherwise unauthorized document. Those portions of the consolidated applications which do not conform to the scope of the case as modified herein will be dismissed and all other petitions, motions, and requests directed to the scope of the present proceeding will be denied.

As stated earlier, we have decided to institute a separate proceeding, to be designated the Omaha-Des Moines Transcontinental Service Investigation, to consider the needs of Omaha and Des Moines for additional service to their principal points of interest on the east and west coasts—namely, New York/Newark and Washington/Baltimore on the east coast, and Los Angeles and San Francisco/Oakland/San Jose on the west coast. Our further study of the traffic in Omaha's long-haul markets and of the service heretofore rendered by the monopoly carrier, United, convinces us that consideration of Omaha's service

needs in these markets should not be further deferred. We will not, however, consider these needs in the Service to Omaha Case, as we judge that this would excessively complicate the issues. A separate proceeding will also have the advantage of permitting simultaneous consideration of Des Moines' long-haul service needs, which appear to be almost as pressing as Omaha's.⁹

To avoid complex problems of overlapping between these two proceedings and with other pending cases, and to limit the scope of the Transcontinental Case so as to allow prompt resolution, we will impose certain pretrial restrictions. First, any authority granted in the Transcontinental Case will be in the form of a new segment or segments, each of which will include Omaha, Des Moines, and one or more of the four designated coastal points. Second, all flights operated pursuant to new authority granted in the Transcontinental Case which serve both an east coast and a west coast terminal will be required to serve both Omaha and Des Moines; on the other hand, new turnaround service between those two cities will not be in issue.

Third, we will impose a change-of-plane restriction at Omaha and Des Moines which will require that flights must originate or terminate at one of those cities unless they proceed over the new segment or segments granted herein from one of the east coast to one of the west coast terminals designated herein, or vice versa. This restriction, while permitting transcontinental operations, will avoid having the Omaha and Transcontinental cases in tandem encompass such complex and controversial issues as new single-plane service in the Los Angeles-Chicago, New York-Denver, and other similar markets. Finally, since the needs of Omaha for additional service to the four coastal points designated herein will now be the subject of the Transcontinental Case, we will eliminate these issues from the Omaha Case by imposing a pretrial restriction in that case against the authorization of new single-plane service in these four Omaha markets. This will, of course, eliminate any basis for Western's previously cited Ashbacker claim in that case.

A further issue in the Transcontinental proceeding will be whether the public convenience and necessity require the designation of a particular airport or airports through which the coastal terminal cities designated herein are to be served.

Accordingly, it is ordered, That:

1. The motion of National Airlines, Inc., for leave to file an otherwise unauthorized document be and it hereby is granted;
2. The issues in the Service to Omaha Case, Docket 18401, be and they hereby are modified as follows:

⁹ While some of Des Moines' short-haul needs likewise appear to merit early consideration, we propose to deal with these needs in one or more separate proceedings, as their inclusion in either the Service to Omaha Case or the new Omaha-Des Moines long-haul case would unduly complicate and delay those proceedings.

⁵ This restriction is a product of the St. Louis-Southeast Service Case, 31 C.A.B. 377 (1960), where it was imposed, following judicial remand of an earlier Board order in that proceeding, for the purpose of avoiding giving TWA an effective Florida-California transcontinental route via St. Louis. Clearly the modification we are putting in issue herein will not divest the restriction of its intended function.

⁶ The other examples cited by the Omaha parties of existing restrictions they wish to have placed in issue differ from the foregoing restriction on TWA in that none of them will operate to preclude single-plane service in any of the Omaha markets whose needs we are considering herein. While some possibilities for increased operational flexibility might be gained by considering modification of these restrictions, this factor would in our judgment be more than offset by the increased complexity of the issues, possible competing claims, interference with other pending cases, and the like.

⁷ Ashbacker Radio Corp. v. F.C.C., 326 U.S. 327 (1945); Delta Air Lines v. C.A.B., 275 F.2d 632 (C.A.D.C. 1959), cert. denied, 362 U.S. 969 (1960).

⁸ Specifically, Omaha-St. Louis traffic exceeds the total traffic between Omaha and the seven southeast points included in Braniff's application by approximately 50 percent, while the total traffic in the 28 St. Louis-southeast markets involved exceeds the total traffic in the eight Omaha markets (including Omaha-St. Louis) by a ratio of nearly 25 to 1. This is much too large a tail to be wagged by such a moderate-sized dog.

(a) Said issues will be expanded to include the issue of whether, in the event TWA is awarded an Omaha-St. Louis or Omaha-Kansas City segment, the public convenience and necessity require the modification of condition (29) of TWA's certificate for Route 2 to permit single-plane service between points on Segment 6 thereof and Omaha; and

(b) Any authority awarded therein to any carrier shall be subject to a condition prohibiting new single-plane service between Omaha on the one hand and Los Angeles, San Francisco/Oakland/San Jose, New York/Newark, or Washington/Baltimore, on the other;

3. The following applications, insofar as they conform to the scope of this investigation as delineated in Order E-24977 and as modified by this order, be and they hereby are consolidated for hearing and decision herein:

American Airlines, Inc., Docket 18512;
Braniff Airways, Inc., Docket 18504;
Continental Air Lines, Inc., Docket 18501;
Delta Air Lines, Inc., Docket 18450;
Eastern Air Lines, Inc., Docket 18510;
Frontier Airlines, Inc., Docket 18502;
North Central Airlines, Inc., Docket 18455;
Ozark Air Lines, Inc., Docket 18509;
Trans World Airlines, Inc., Docket 18233; and
Western Air Lines, Inc., Docket 18508;

4. Those portions of the applications listed in ordering paragraph 3 above which do not conform to the scope of the proceeding as modified by this order, and which are not consolidated herein by this order, be and they hereby are dismissed, without prejudice to the right of applicants to refile pursuant to paragraph 7 hereof;

5. Except to the extent granted herein, all petitions for reconsideration, motions for modification, contingent motions to consolidate and all other requests addressed to the issues of this investigation, be and they hereby are denied;

6. An investigation designated the Omaha-Des Moines Transcontinental Service Investigation, be and it hereby is instituted in Docket 19073 pursuant to sections 204(a) and 401(g) of the Federal Aviation Act of 1958, as amended, to determine whether the public convenience and necessity require the alteration, amendment or modification of carrier authorizations so as to authorize service between Omaha and Des Moines, on the one hand, and Los Angeles, San Francisco/Oakland/San Jose, New York/Newark, and Washington/Baltimore, subject to the following conditions:

(a) Any authority awarded in this investigation shall be in the form of a new segment or segments, each such segment to include Omaha, Des Moines, and one or more of the above-designated coastal points; and

(b) All flights operated pursuant to such authority—

(i) Shall serve both Omaha and Des Moines if such flights also serve a terminal on the east coast and a terminal on the west coast;

(ii) Shall also serve at least one of the above-designated coastal points; and

(iii) Shall not serve any other point (except a point beyond one of the designated coastal points);

A further issue in this investigation shall be whether the public convenience and necessity require the designation of a specific airport or airports through which any or all of the designated coastal terminal points shall be served;

7. Applications conforming to the issues delineated in ordering paragraph 6 hereof and motions to consolidate such applications shall be filed no later than 20 days after the date of service of this order, and answers to such motions shall be filed no later than 10 days thereafter;

8. The newly instituted investigation shall be set down for hearing before an Examiner of the Board at a time and place hereafter designated;

9. To the extent not heretofore or herein granted, the motion of the Omaha parties for expedited consideration of their application and petition in Docket 17869 be and it hereby is denied; and to the extent they seek authorization of service not put in issue in these two investigations, said application and petition be and they hereby are dismissed without prejudice; and

10. A copy of this order shall be served upon the cities set forth in ordering paragraph 6, and the carriers certificated to serve such cities.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board:

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 67-11865; Filed, Oct. 6, 1967;
8:47 a.m.]

[Docket No. 19078; Order No. E-25773]

NORTHEAST CORRIDOR VTOL INVESTIGATION

Order Instituting Investigation

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 4th day of October, 1967.

For the reasons set forth below, the Board has decided to institute an investigation to determine the need for and feasibility of metropolitan area¹ VTOL, VSTOL, and STOL service,² on a subsidy-ineligible basis, between certain major cities of the Northeast Corridor. The cities to be included in this investigation are Boston, Hartford, Providence, New York/Newark, Philadelphia/Wilmington/Trenton (to be considered as

¹ In considering metropolitan area services we will not consider any questions of service between different landing sites in the same metropolitan area.

² For the purposes of this case, we define VTOL as vertical takeoff and landing equipment; VSTOL as a type of aircraft which has vertical takeoff and landing capability, but is also designed to benefit from short takeoff and landing runs; STOL as an aircraft having short, but not vertical, takeoff and landing capability. We wish to emphasize, however, that the principal focus of the investigation will be on the need for and feasibility of VTOL services. However, we will not rule out proposals with the other two types of equipment.

a single point),³ Baltimore, and Washington, D.C. The markets involved are all pairs of the foregoing points with the exception of Baltimore-Washington.⁴

The cities and markets to be considered in this investigation are located along the northeastern seaboard of the United States, an area generally extending from Boston to Washington, and often referred to as a megalopolis because of its heavily urbanized character. Although the land area encompassed by this region is small as related to the land area of the country as a whole, there is an extremely large concentration of population in this corridor. The 1960 census figures show that the metropolitan area population of the five largest cities included in this investigation was approximately 23 million and the population of the region was approximately 37 million. This may be compared to the 1960 U.S. population of approximately 181 million. In such a heavily populated area the need for adequate transportation services is acute, and this need is even more pronounced in the above markets because of the short hauls involved and the heavy concentration of air traffic. Air transportation has, in our view, played a significant role in meeting the transportation demand in the Northeast Corridor and the public response to the available air transportation services has manifested itself in substantial generation of air traffic. However, the steady increase of air traffic at the airports serving the seven metropolitan areas in question has created problems which, if unchecked, could result in a decline in the quality of air service at these cities.

The major problem and principal matter for investigation is improving the quality of air service available in these markets particularly to meet the needs of the business traveler. One of the principal advantages of air transportation is the speed with which a traveler is transported from his point of origin to his point of destination. The necessity for retaining the advantages of speed in air transportation is particularly indicated in the short-haul journeys characteristic of the markets in the Northeast Corridor. There are two factors militating against the attainment of optimum speed in these markets. One is the matter of congestion at the existing airports, as discussed in greater detail below. A second factor is the time elapsed in the ground portion of the journey. Elapsed ground travel times have a tendency to be larger in metropolitan areas such as these due to heavy surface travel congestion, and, in some cases, the necessity for locating the airport at a considerable distance from the center of the city. A business traveler characteristically transacts his business within the confines of the city center.

³ We are aware that these three cities are not treated as a single metropolitan area by the Census Bureau, but they will nevertheless be so treated here because of their proximity.

⁴ We will not include the issue of service between Baltimore and Washington in this case. Service between these cities is in issue in the Washington/Baltimore Helicopter Service Investigation, Docket 17665.

This means that he must travel from the center of the city of the airport to commence his journey and reverse the process to terminate his journey. If a convenient service were available to the business traveler from the center of one city to the center of another, it would appear that the speed advantages of air transportation could be maximized. In addition, it may be that the business traveler resides in a suburban area and would commence and terminate his journey at a suburban point if such a traveler could receive service at a suburban point to his business destination in the center of the city. This would eliminate the necessity for this traveler to use ground transportation to journey to the center of the city.⁴

In addition to investigating the quality of air service in these markets, we are concerned with the problem of congestion at the existing airports. We have recently instituted an investigation, Order E-25319, June 20, 1967, to determine, inter alia, what steps can be taken to alleviate congestion at Washington National Airport.⁵ Although it is possible the congestion at National Airport is more acute than at the other airports involved herein, nonetheless, it seems evident that in the future the capacities of all these airports will be taxed to the utmost. It seems reasonable to assume that a significant portion of the flights now utilizing the existing airports, and thus contributing to the congestion at these airports, is operated primarily for the benefit of, and in response to, business travel.⁶ In the event that a metropolitan area to metropolitan area VTOL (or V-STOL or STOL) service becomes available and is convenient for business travel, flights at the existing airports might be reduced thus alleviating airport congestion. In turn, if congestion were reduced the quality of transportation services in numerous markets outside the scope of this case would probably improve.

We recognize that we are undertaking a difficult task. To our knowledge, there is at the present time no operational aircraft which are capable, on an economic seat-mile basis, of providing the service contemplated in this investigation.⁷ In

⁴ We will not, of course, include an existing airport as one of the points to be considered. To do so would be at odds with our efforts to reduce congestion at those airports.

⁵ That investigation does not include any issues of metropolitan area to metropolitan area VTOL service.

⁶ For example, 113 shuttle flights are operated by Eastern in the Washington-New York and New York-Boston markets. Official Airline Guide, August 1967.

⁷ However, we understand that it may be technologically feasible to produce such an aircraft, now or in the near future, provided there is in prospect an adequate market to provide the economic incentive for doing so. We expect the aircraft manufacturers to present evidence in this investigation concerning the operational and economic characteristics of any such aircraft, and their plans for production.

addition, it will be necessary to develop appropriate city and suburban landing sites for any such service to become a reality. We expect to explore these matters fully in this investigation. We are taking action at this time to consider the need for and feasibility of this type of service and, among other things, to explore the types of technological advancements needed to promote implementation of this type of service. Thus, we deem it required in terms of our statutory obligation to promote and develop air transportation to explore these matters now rather than wait for improved technology in this area. Moreover, taking action at this time will permit coordination of the urban renewal programs of the Department of Housing and Urban Development (HUD) with the problem of obtaining appropriate landing sites in metropolitan areas. We believe this type of coordination may be an important factor in orderly redevelopment embracing transportation as a key element. To this end, we will make HUD a party to this proceeding.

The investigation will be limited to landing sites in the respective metropolitan areas,⁸ excluding the existing air carrier airports serving the named cities. Since the purpose of the investigation is to consider whether a service between landing sites, other than existing airports, in these metropolitan areas is required, we will also include in the investigation, pursuant to section 401(g), an issue of whether the existing certificates of the carriers authorized to serve the cities and markets in question should be amended to restrict those carriers to the use of existing airports in providing service in the markets here in question. Finally, any award made in this proceeding will be on a subsidy-ineligible basis.

Accordingly, it is ordered:

1. That an investigation designated the Northeast Corridor VTOL Investigation, be and it hereby is instituted in Docket 19078, pursuant to sections 204(a) and 401 of the Federal Aviation Act of 1958, as amended, to determine:

(a) Whether the public convenience and necessity require, and the Board should order, the establishment of air service with VTOL, or V-STOL or STOL equipment between the metropolitan areas of the following pairs of points: Boston-Hartford, Boston-Providence, Boston-New York/Newark, Boston-Philadelphia/Wilmington/Trenton, Boston-Baltimore, Boston-Washington; Hartford-Providence, Hartford-New York/Newark, Hartford-Philadelphia/Wilmington/Trenton, Hartford-Baltimore, Hartford-Washington; Providence-New York/Newark, Providence-Philadelphia/Wilmington/Trenton, Providence-Baltimore, Providence-Washington; New York/Newark - Philadelphia/Wilmington/Trenton, New York/Newark-Baltimore, New York/Newark-Washington; Philadelphia/Wilmington/Trenton-

Baltimore; Philadelphia/Wilmington/Trenton-Washington;

(b) Whether the public convenience and necessity require, and the Board should order, the alteration, amendment, or modification of the certificates of public convenience and necessity of American Airlines, Inc., for Routes 4, 7, and 25; Braniff Airways, Inc., for Route 9; Delta Air Lines, Inc., for Route 24; Eastern Air Lines, Inc., for Routes 5, 6, and 71; National Airlines, Inc., for Route 31; Northeast Airlines, Inc., for Route 27; Northwest Airlines, Inc., for Route 3; Trans World Airlines, Inc., for Route 2; Trans Caribbean Airways for Route 137; United Air Lines, Inc., for Routes 1, 14, 34, and 51; Allegheny Airlines, Inc., for Route 97; Lake Central Airlines, Inc., for Route 88; Mohawk Airlines, Inc., for Route 94; and Piedmont Aviation, Inc., for Route 87; in such a manner as to restrict, where applicable, the certificate authorizations of the above-named carriers to serve Boston, Hartford, Providence, New York, Newark, Trenton, Philadelphia, Wilmington, Baltimore, and Washington, D.C., to the existing airports serving those points;

2. That any authority awarded in this proceeding shall be on a subsidy-ineligible basis;

3. That applications, motions to consolidate, and motions or petitions seeking modification or reconsideration of this order shall be filed no later than sixty (60) days from date of service of this order, and answers to such pleadings shall be filed no later than fifteen (15) days thereafter;

4. That a copy of this order be served upon American Airlines, Inc., Braniff Airways, Inc., Delta Air Lines, Inc., Eastern Air Lines, Inc., National Airlines, Inc., Northeast Airlines, Inc., Northwest Airlines, Inc., Trans World Airlines, Inc., Trans Caribbean Airways, Pan American World Airways, Inc., United Air Lines, Inc., Allegheny Airlines, Inc., Lake Central Airlines, Inc., Mohawk Airlines, Inc., Piedmont Aviation, Inc., New York Airways, Inc., and the Departments of Transportation and Housing and Urban Development, who are hereby made parties to the investigation instituted herein; and

5. That a copy of this order also be served upon the Mayor, City of Boston, Mass.; Mayor, City of Hartford, Conn.; Mayor, City of Providence, R.I.; Port of New York Authority; Mayor, City of Trenton, N.J.; Mayor, City of Philadelphia, Pa.; Mayor, City of Wilmington, Del.; Mayor, City of Baltimore, Md.; the Commissioner of the District of Columbia; and the Washington Metropolitan Board of Trade.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 67-11868; Filed, Oct. 6, 1967; 8:47 a.m.]

⁸ We will leave for exploration in the proceeding the question of precise definition of the term "metropolitan area."

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 17131 etc.; FCC 67-1102]

GENERAL ELECTRIC CABLEVISION CORP. ET AL.

Memorandum Opinion and Order

In re petitions by General Electric Cablevision Corp., Van Buren, N.Y., et al., Docket No. 17131, File No. CATV 100-65, 17132, 17133, 17134, for authority pursuant to § 74.1107 of the rules to operate CATV systems in the Syracuse Television Market; Eastern Microwave, Inc., Van Buren, N.Y., Docket No. 17135, File No. 4704-C1-P-66; Eastern Microwave, Inc., Camillus, N.Y., Docket No. 17136, File No. 4879-C1-P-66; for construction permits for new point-to-point microwave radio stations; NewChannels Corp., Manlius, N.Y., et al., Docket No. 17273, File No. CATV 100-150, 17274, 17275, 17276, 17277, 17278; for authority pursuant to § 74.1107 to operate CATV systems in the Syracuse, N.Y., market, ranked 31st.

1. Applicants in this proceeding are seeking authority pursuant to § 74.1107 of the rules to import and distribute distant signals on CATV systems to be operated in communities located within the Syracuse television market and authorizations for construction permits for point-to-point microwave radio stations to relay television signals to those CATV systems. We designated the applications for hearing to determine the present and proposed penetration of CATV service in the market, the nature of any plans by the CATV operators for the furnishing of services other than the relay of signals of broadcast stations, and the impact of present and proposed CATV service upon television broadcast stations in the market.¹ Channel 9 Syracuse, Inc., the licensee of television station WYNS (TV) at Syracuse, N.Y., moved the Review Board for an enlargement of issues to permit inquiry into whether a grant of certain of the applications would result in a concentration of control of the media of mass communications in the Syracuse area which would be inconsistent with the public interest. The Review Board denied the motion (FCC 67R-254, 3 FCC 2d 682, released June 26, 1967) and Channel 9 has applied for review of that determination.²

2. Channel 9's motion is directed to NewChannels' applications for waivers of section 74.1107 with respect to proposed CATV systems at East Syracuse, Camillus, Manlius, Minoa, Liverpool, and Fayetteville; and to Eastern Microwave's applications for microwave facilities to relay television signals to CATV systems located within the Grade A contour of

the Syracuse television stations. Both NewChannels and Eastern Microwave are subsidiary corporations of Newhouse Broadcasting Corp. which is the licensee of WSYR-TV, WSYR-FM, and WSYR-AM in Syracuse and WSYE-TV in Elmira, N.Y. All of the said corporations are controlled by the S. I. Newhouse family which has controlling interests in the only daily evening newspaper, the only daily morning newspaper and one of two Sunday newspapers in Syracuse; a CATV system in Rome, N.Y.; franchises for CATV systems in several communities in the Syracuse market in addition to those previously mentioned;³ and in one of the three applicants for a CATV franchise for the city of Syracuse. Channel 9 asserts that a hearing is required to determine whether the grant of the applications of NewChannels and Eastern Microwave is consistent with the public interest in view of the control by the Newhouse family of other media of mass communications in the same area.⁴

3. The Review Board held that a policy determination concerning the extent to which the Commission should undertake to limit the cross-ownership of CATV and other media of mass communications is of such general application that it can better be resolved in the context of a rule making proceeding. In view of the Commission's policy pronouncements in the First Report in Docket No. 15415⁵ wherein we held that no across-the-board prohibition against common ownership of CATV systems and television stations is warranted and the current inquiry in Docket No. 17371⁶ into the policy questions raised by Channel 9, the Review Board concluded that "it would be inappropriate to add the issue in this adjudicatory proceeding."

4. We do not believe that our past policy determinations or our current inquiry into whether new policies should be adopted with respect to common ownership of CATV systems and other mass media provides an adequate basis for refusing to include a concentration of control issue in an adjudicatory proceeding such as this involving the applications for microwave frequencies. If the factual allegations supporting a request

¹ According to Channel 9, the communities in which the Newhouse interests hold CATV franchises have a combined population of 199,246.

² It is also alleged that the Newhouse family owns 50 percent of New York-Penn Microwave Corp. which provides or will provide distant signals to CATV systems in the market. An application is pending for transfer to the Newhouse family of the remaining 50 percent interest in this corporation. The application by that corporation for a construction permit for point-to-point microwave radio stations to provide service to the CATV system at Auburn proposed by Auburn Cablevision Corp. was granted by our memorandum opinion and order, FCC 67-63.

³ Acquisition of Community Antenna Television Systems, 1 FCC 2d 387, adopted July 27, 1965.

⁴ Notice of Inquiry into Developing Patterns of Ownership in the CATV Industry, Docket No. 17371, FCC 67-460, 7 FCC 2d 853, adopted Apr. 12, 1967.

for enlargement of issues by reason of the potential common control by an applicant for a license from the Commission over CATV systems and other media of mass communications in an area raise substantial public interest questions, the request should not be denied solely because the Commission has not yet developed a long range policy on the subject. We shall therefore grant review for the purpose of determining whether Channel 9's pleadings raise such public interest questions.

5. Eastern Microwave's applications for microwave facilities involve the Commission's licensing function.⁷ According to Channel 9's undisputed allegations, Eastern Microwave, several of the CATV systems to be served, and other media of mass communications in the Syracuse area (i.e., television and radio stations; the only daily morning and evening newspapers) are under the common control of the S. I. Newhouse family. Since there are several television and radio broadcast stations in Syracuse in which the Newhouse family has no financial interest, a grant of Eastern Microwave's applications is not likely to result in a monopoly of the media of mass communications in the Syracuse area. The absence of such a communications monopoly, however, is not dispositive of the matter before us, since the concentration would appear sufficient to raise a question which should be resolved prior to any grant of these applications. In the circumstances we are persuaded that an evidentiary hearing is essential to enable us to determine whether authorization of the microwave facilities is consistent with the public interest.

6. In view of the foregoing, we shall enlarge the issues by inserting before the final public interest issue, which is renumbered Issue 6, the following issues:

4. To determine the extent to which the principals of Eastern Microwave, Inc., control or are affiliated with other media of mass communications in the Syracuse market.

5. To determine in the light of the evidence adduced pursuant to the preceding issue whether a grant of the Eastern Microwave, Inc., applications would create a concentration of control of the media of mass communications in the Syracuse market which would be inconsistent with the public interest.

7. Accordingly, it is ordered, that the issues in this proceeding are enlarged by the addition of the issues set forth in paragraph 7 above; and that the application for review filed on July 3, 1967, by Channel 9 Syracuse, Inc., is granted to

⁵ Cf. *Carter Mountain Transmission Corp. v. Federal Communications Commission*, 116 US App DC 93, 321 F 2d 353 (1963) cert. denied 375 US 951; *Citizens TV Protest Committee v. Federal Communications Commission*, 121 US App DC 50, 348 F 2d 56 (1965). Section 74.1107 is directed to a determination of the effect of importation of distant signals upon the establishment and healthy maintenance of local television broadcast service. Channel 9 makes no claim that the concentration facts alleged by it are pertinent to the latter determination.

¹ FCC 67-63, released Feb. 24, 1967; and FCC 67-295, released Mar. 24, 1967.

² The application for review was filed on July 3, 1967. Responsive pleadings were filed by the Broadcast Bureau on July 14, 1967, and jointly by NewChannels Corp. and Eastern Microwave, Inc., on July 24, 1967. A reply was filed by Channel 9 on Aug. 3, 1967.

the extent set forth herein and in all other respects is denied.

Adopted: September 29, 1967.

Released: October 2, 1967.

FEDERAL COMMUNICATIONS
COMMISSION,¹

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 67-11872; Filed, Oct. 6, 1967;
8:48 a.m.]

[Docket Nos. 11730, 11731; FCC 67M-1633]

HEARD BROADCASTING, INC., AND
NORFOLK BROADCASTING CORP.

Order Scheduling Hearing

In re applications of Heard Broadcasting, Inc., Leesburg, Fla., Docket No. 17730, File No. BPH-5514; Norfolk Broadcasting Corp., Leesburg, Fla., Docket No. 17731, File No. BPH-5762; for construction permits.

It is ordered, That David I. Kraushaar shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on December 20, 1967, at 10 a.m.; and that a prehearing conference shall be held on November 2, 1967, commencing at 9 a.m.: *And, it is further ordered*, That all proceedings shall take place in the offices of the Commission, Washington, D.C.

Issued: October 2, 1967.

Released: October 3, 1967.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 67-11873; Filed, Oct. 6, 1967;
8:48 a.m.]

[Docket No. 17737; FCC 67M-1631]

TWIN CITIES CABLE CO., INC.

Order Scheduling Hearing

In re cease and desist order to be directed against Twin Cities Cable Co., Inc., owner and operator of CATV systems at Fulton, Ky., and South Fulton, Tenn.; Docket No. 17737.

It is ordered, That James D. Cunningham shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on November 7, 1967, at 10 a.m.; and that a prehearing conference shall be held on October 12, 1967, commencing at 9 a.m.: *And, it is further ordered*, That all proceedings shall take place in the offices of the Commission, Washington, D.C.

Issued: September 29, 1967.

Released: October 3, 1967.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 67-11874; Filed, Oct. 6, 1967;
8:48 a.m.]

¹ Dissenting statement of Commissioner Loevinger filed as part of the original document. Commissioner Bartley absent.

[Docket Nos. 17575, 17576; FCC 67R-413]

TRI-CITIES BROADCASTING CORP.,
AND PALMER-DYKES BROADCAST-
ING CO.

Memorandum Opinion and Order
Enlarging Issues

In re applications of Tri-Cities Broadcasting Corp., Gate City, Va., Docket No. 17575, File No. BPH-5654; Paul Dykes and Basil J. Palmer, doing business as Palmer-Dykes Broadcasting Co., Kingsport, Tenn., Docket No. 17576, File No. BPH-5701; for construction permits.

1. This proceeding involves the applications of Tri-Cities Broadcasting Corp. (Tri-Cities), and Paul Dykes and Basil J. Palmer, doing business as Palmer-Dykes Broadcasting Co. (Palmer-Dykes), both seeking an authorization for a new FM broadcast station in their respective communities of Gate City, Va., and Kingsport, Tenn. By order, FCC 67-791, released July 18, 1967, the mutually exclusive applications were designated for a hearing.¹ Presently before the Review Board is a petition to enlarge issues, filed July 27, 1967, by Tri-Cities, requesting the addition of issues to determine the reasonableness of Palmer-Dykes' cost estimates and its estimate of expected revenue; and an issue to determine whether the programming proposal of Palmer-Dykes will serve the public interest.² These requests will be treated seriatim.

FINANCIAL ISSUES

2. To support its request for the addition of an issue to determine whether the cost estimates of Palmer-Dykes are reasonable, Tri-Cities alleges that Palmer-Dykes' expected antenna costs do not provide for the cost of the supporting tower; that there is no provision for the required stereo generator; that the modulation monitor specified is inappropriate for the type of transmission proposed; and that the foregoing will necessitate a revision of the estimated equipment costs, thereby substantially increasing the financial showing the applicant must make under the limited financial issue specified by the Commission. See footnote 1, supra. The requested revenue issue is based on the contention that Palmer-Dykes estimate of \$36,000 for first year's revenues is unsubstantiated.

3. In its opposition pleading, Palmer-Dykes concedes that its equipment costs estimate does not include the costs of its proposed tower and a stereo generator. It further admits that the type of modu-

¹ In addition to section 307(b) and standard comparative issues, the Commission specified an issue to determine whether Palmer-Dykes has available to it an additional \$18,453 necessary to construct and operate for 1 year without regard to revenue, thereby demonstrating that it is financially qualified.

² Other pleadings before the Review Board for consideration are: (a) Opposition, filed Aug. 31, 1967, by Palmer-Dykes; (b) Broadcast Bureau's opposition, filed Aug. 31, 1967; and (c) reply to oppositions, filed Sept. 13, 1967, by Tri-Cities.

lation monitor specified in its application is not the type approved for stereo broadcasting. Palmer-Dykes maintains that the equipment costs estimate should be increased by approximately \$10,000 since its estimated cost of a tower is \$4,500; that of a stereo generator \$1,500; and that of an appropriate modulation monitor \$2,800.³ The applicant further contends that any addition of an issue relating to the unreasonableness of its cost estimate should be limited to an examination of the technical equipment estimates and the availability of funds to meet the increased costs. With regard to revenues, Palmer-Dykes states that it intends to establish its financial qualifications without reliance on revenues, but "reserves the right, if it so chooses, to urge the availability of revenues as a basis for establishing its financial qualifications." The Broadcast Bureau supports the addition of a limited issue, pointing out that both a guyed tower and self-supporting tower are proposed in different parts of Palmer-Dykes' application.

4. The Review Board is unable, on the basis of the pleadings before it, to determine the exact nature of Palmer-Dykes' proposed tower or the respective costs of the tower, stereo generator and modulation monitor. Palmer-Dykes concedes that its estimated equipment costs are inadequate and its contention that such costs should be increased by approximately \$10,000 is not adequately substantiated. Moreover, the inconsistency regarding the type of tower proposed by the applicant has not been resolved. We will therefore specify issues inquiring into its estimated costs for equipment.⁴ In view of the uncontradicted allegation that Palmer-Dykes' estimated revenues are unsubstantiated and the applicant's statement that it reserves the right to rely on revenues if needed, we will also add an issue with respect to revenues in the event this source of funds is relied upon by the applicant to establish its financial qualifications.

COMMERCIAL POLICY ISSUE

5. To support its request for the addition of an issue to determine whether the programming proposal of Palmer-Dykes will serve the public interest, convenience and necessity, Tri-Cities points out that in paragraph 25 of the Palmer-Dykes application, the applicant proposes to broadcast 60 percent commercial matter between 6 a.m. and 6 p.m. and 50 percent during all other hours with the possibility of increasing the maximum an additional 10 percent in response to unusual demands. Tri-Cities contends that said proposal indicates an over-commercialization with a concomitant detriment to the public interest. In opposition, Palmer-Dykes contends that it does not propose over-commercialization since it has specified in paragraph

³ These figures, according to the opposition pleading, were obtained by "an independent check of Collin's equipment costs * * *".

⁴ There is no basis for inquiring into Palmer-Dykes' other cost estimates.

26 of its application that it would allocate only a maximum of fifteen 1-minute commercial announcements per hour which is not only within the Commission's guidelines concerning commercial practices, but also, less than the eighteen 1-minute announcements proposed by the petitioner.⁵ Palmer-Dykes states that the percentages contained in paragraph 25 are erroneous due to a misinterpretation of the question posed in paragraph 25, and should not be used as a basis for questioning its commercial policy. The Broadcast Bureau recommends denial of the requested issue since it believes that the more specific information furnished by Palmer-Dykes in paragraph 26 of its application is controlling.

6. To resolve the inconsistency and to correct the error, a petition for leave to amend was filed August 31, 1967 by Palmer-Dykes.⁶ The Hearing Examiner accepted this amendment by order, Mimeo No. 1510, released September 12, 1967. The application as amended, resolves the question of over-commercialization and the Review Board therefore concludes that denial of this request is warranted. However, since there is also pending before the Review Board an appeal from the ruling of the Hearing Examiner, filed September 18, 1967, by Tri-Cities, the Board will deny the addition of the requested issue without prejudice to Tri-Cities' refile in the event its appeal is granted.

Accordingly, it is ordered, That the petition to enlarge issues, filed July 27, 1967, by Tri-Cities Broadcasting Corp., is granted to the extent indicated below and denied in all other respects; and

It is further ordered, That the issues in the above captioned proceeding are enlarged as follows:

(a) To determine the exact nature of Palmer-Dykes Broadcasting Co.'s equipment, the estimated costs thereof, and whether such costs are reasonable.

(b) To determine, in the event that Palmer-Dykes Broadcasting Co. will depend upon operating revenues to meet costs and first year's operating expenses, the basis of its estimated revenues for the first year of operation, whether such estimate is reasonable, and the extent to which net operating revenues may be relied upon to yield necessary funds for the initial construction and 1 year's operating cost.

It is further ordered, That the amount of \$18,453 specified by the Commission in issue 1 of the designation order be in-

⁵The two paragraphs are mathematically inconsistent since a broadcast of 70 percent commercial matter during the 12-hour period would result in 42 minutes being devoted to commercial announcements in a 1-hour segment whereas Palmer-Dykes has stated that it would not exceed a 15-minute allocation.

⁶Palmer-Dykes' amendment would resolve the ambiguity (see footnote 5, supra) by having paragraph 25 read "25 percent" in lieu of "60 percent".

creased in accordance with the information adduced under the added issue (a).

Adopted: September 27, 1967.

Released: October 2, 1967.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 67-11875; Filed, Oct. 6, 1967;
8:48 a.m.]

[Docket No. 17653; FCC 67M-1028]

UNITED TRANSMISSION, INC.

Order Continuing Hearing

In re petition of United Transmission, Inc., Galax, Va., Docket No. 17653, File No. CATV 100-22; for authority pursuant to § 74.1107 to operate a CATV system in the Greensboro-High Point-Winston-Salem, N.C., and the Roanoke, Va., television markets, ranked 47th and 64th, respectively.

A prehearing conference having been held on September 29, 1967;

It is ordered, That hearing herein is continued, pending further order.

Issued September 29, 1967.

Released October 2, 1967.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 67-11876; Filed, Oct. 6, 1967;
8:48 a.m.]

FEDERAL MARITIME COMMISSION NORTH ATLANTIC FRENCH ATLANTIC FREIGHT CONFERENCE

Notice of Agreements Filed for Approval

Notice is hereby given that the following agreements have been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement(s) at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 10 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by: Mr. Burton H. White, Burlingham, Underwood, Barron, Wright & White, 25 Broadway, New York, N.Y. 10004.

Agreement No. 7770-3, between the member lines of the North Atlantic French Atlantic Freight Conference, modifies Article IX of the basic agreement to permit Member Lines and their Agents, Managers, Operators, etc., with Conference approval, to represent non-Conference vessels transporting cargoes within the Conference trade.

Dated: October 3, 1967.

By order of the Federal Maritime Commission.

THOMAS LIST,
Secretary.

[F.R. Doc. 67-11867; Filed, Oct. 6, 1967;
8:47 a.m.]

FEDERAL POWER COMMISSION

[Docket No. RIG2-137, etc.]

CAROLINE HUNT SANDS ET AL.

Order Providing for Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund¹

SEPTEMBER 28, 1967.

The Respondents named herein have filed proposed changes in rates and charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in Appendix A below.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the Regulations pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act: *Provided, however*, That the supplements to the rate schedules filed by Respondents, as set forth herein, shall become effective subject to refund on the date and in the manner herein prescribed if within 20 days from the date of the issuance of this order Respondents shall each execute and file under its above-designated docket number with the Secretary of the Commission its agreement and undertaking to comply with the refunding and reporting procedure re-

¹Does not consolidate for hearing or dispose of the several matters herein.

quired by the Natural Gas Act and section 154.102 of the regulations thereunder, accompanied by a certificate showing service of copies thereof upon all purchasers under the rate schedule involved. Unless Respondents are advised to the contrary within 15 days after the filing of their respective agreements and undertakings, such agree-

ments and undertakings shall be deemed to have been accepted.

(C) Until otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the

Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before November 15, 1967.

By the Commission.

[SEAL]

GORDON M. GRANT,
Secretary.

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf		Rate in effect subject to refund in docket Nos.
									Rate in effect	Proposed increased rate	
RI68-137...	Caroline Hunt Sands et al., 1401 Elm St., Dallas, Tex. 75202.	6	2	Panhandle Eastern Pipe Line Co. (Gloden No. 1 Well, Texas County, Okla.) (Oklahoma "Other" Area).	\$5	9-5-67	* 10-6-67	* 10-7-67	16.0	** 16.01	RI68-101.
RI68-138...	Hunt Oil Co., 1401 Elm St., Dallas, Tex. 75202.	60	2	Panhandle Eastern Pipe Line Co. (Dewey County, Okla.) (Oklahoma "Other" Area) (and Woodward County, Okla.) (Panhandle Area).	6	9-5-67	* 10-6-67	* 10-7-67	* 17.0	** 17.016	RI68-210.
RI68-139...	Pan American Petroleum Corp. (Operator) et al., Security Life Bldg., Denver, Colo. 80202, Attn: Frank H. Houch, Esq.	163	* 17	El Paso Natural Gas Co. (West Kutz Pictured Cliffs Field, San Juan County, N. Mex.) (San Juan Basin Area).	1,034	9-5-67	* 10-6-67	* 10-7-67	12.0	** 12.23085	
RI68-140...	Coastal States Gas Producing Co., Post Office Box 521, Corpus Christi, Tex. 78403.	** 72	2	United Fuel Gas Co. (Skillot Fork and Hare Lands, Stafford District, Mingo County, W. Va.).	2,241	8-29-67	* 9-20-67	* 9-30-67	** 26.0	** 27.0	

* The stated effective date is the first day after expiration of the statutory notice.

* The suspension period is limited to 1 day.

* Tax reimbursement increase.

* Pressure base is 14.65 p.s.i.a.

* Subject to upward and downward B.t.u. adjustment from 1,000 B.t.u.'s per cubic foot. (B.t.u. content of gas is 928 B.t.u.'s per cubic foot.)

* Applicable only to acreage covered by contract amendments dated Dec. 12, 1960, Jan. 18, 1967, and Apr. 6, 1967 (designated as Supplement Nos. 14, 15, and 16, respectively).

* The stated effective date is the effective date requested by Respondent.

* Pressure base is 15.025 p.s.i.a.

* Reflects partial reimbursement for full 2.55 percent New Mexico Emergency School Tax.

* Contract executed after Sept. 23, 1960, the date of issuance of Commission's General Policy Statement No. 61-1, and the proposed rate does not exceed the area initial service ceiling rate of 28 cents at 15.325 p.s.i.a.

* Periodic rate increase.

* Pressure base is 15.325 p.s.i.a.

* Includes 2 cents per Mcf charge by seller for gathering.

* Initial rate.

APPENDIX A

Caroline Hunt Sands et al., and Hunt Oil Co. (both referred to herein as Hunt) proposed increases based on partial reimbursement of the increase in Oklahoma Excise Tax which became effective on July 1, 1967. The proposed rates exceed the area increased rate ceilings for Panhandle and Oklahoma "Other" Areas as announced in the Commission's Statement of General Policy No. 61-1, as amended (18 CFR 2.56). However, since Hunt's rate filings relate only to tax reimbursement, we conclude that such increases should be suspended for 1 day from October 6, 1967, the date of expiration of the statutory notice. Hunt requests a retroactive effective date of July 1, 1967, the date the tax became effective. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit an earlier effective date for Hunt's rate filings and such request is denied.

The contract related to the rate filing by Coastal States Gas Producing Co. (Coastal) was executed subsequent to September 28, 1960, the date of issuance of the Commission's Statement of General Policy No. 61-1, as amended, and the proposed rate of 27 cents per Mcf exceeds the area increased rate ceiling of 25 cents per Mcf at 15.325 p.s.i.a. for West Virginia area but is below the initial service ceiling of 28 cents per Mcf at 15.325 p.s.i.a. for the area involved. We believe, in this situation, Coastal's rate filing should be suspended for 1 day from September 29, 1967, the proposed effective date.

Pan American Petroleum Corp. (Operator) et al., (Pan American) proposed rate increase reflects partial reimbursement for the full 2.55 percent New Mexico Emergency School Tax which was increased from 2 percent to 2.55 percent on April 1, 1963. The buyer, El Paso Natural Gas Co. (El Paso), in accordance with its policy of protesting all tax filings proposing reimbursement for the New Mexico Emergency School Tax in excess of 0.55 percent, is expected to file a protest to this rate increase. El Paso questions the right of the producer under the tax reimbursement clause to file a rate increase reflecting tax reimbursement computed on the basis of an increase in tax rate by the New Mexico Legislature in excess of 0.55 percent. While El Paso concedes that the New Mexico tax legislation effected a higher rate of at least 0.55 percent, it claims there is controversy as to whether or not the new legislation effected an increased tax rate in excess of 0.55 percent. In view of the contractual problem presented, we are suspending herein Pan American's proposed rate increase even though it is not in excess of the applicable increased rate ceiling. The hearing provided for herein will involve only the contractual basis for Pan American's rate filing. Since the rate increase reflects tax reimbursement, the suspension period may be shortened to 1 day from October 6, 1967, the proposed effective date.

[F.R. Doc. 67-11784; Filed, Oct. 6, 1967; 8:45 a.m.]

[Docket No. RI68-141, etc.]

GULF OIL CORP. ET AL.

Order Providing for Hearings on and Suspension of Proposed Changes in Rates¹

SEPTEMBER 28, 1967.

The Respondents named herein have filed proposed increased rates and charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in Appendix A below.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR Ch. I),

¹ Does not consolidate for hearing or dispose of the several matters herein.

and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column, and thereafter until made

effective as prescribed by the Natural Gas Act.

(C) Until otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the

Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f) on or before November 15, 1967.

By the Commission.

[SEAL]

GORDON M. GRANT,
Secretary.

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until	Cents per Mcf		Rate in effect subject to refund in docket Nos.
									Rate in effect	Proposed increased rate	
RI68-141	Gulf Oil Corp. (Operator) et al., Law Department, Post Office Box 1589, Tulsa, Okla. 74102.	243	13	Michigan Wisconsin Pipe Line Co. (North Okadale, Northwest Okadale, and Lenora Fields, Woods and Dewey Counties, Okla.) (Oklahoma "Other" Area).	\$13,839	9-6-67	*10-7-67	3-7-63	*15.04	**17.04	
RI68-142	Cabot Corp. (SW), Post Office Box 1101, Pampa, Tex. 79065.	48	*6	Cities Service Gas Co. (Hugoton Field, Seward County, Kans.).	330	9-5-67	*10-6-67	3-6-63	*15.0	**17.0	

*The stated effective date is the effective date requested by Respondent.
* "Fractured" rate increase. Contractually due rate is 19.5 cents per Mcf which is the initial contract rate.

* Pressure base is 14.65 p.s.i.a.
* Includes base price of 15 cents before increase and base price of 17 cents after increase plus 0.94 cent upward B.T.U. adjustment (1,094 B.T.U. gas). Base price subject to upward and downward B.T.U. adjustment.

*The stated effective date is the first day after expiration of the statutory notice.
* Periodic rate increase.

* Subject to downward B.T.U. adjustment from 950 B.T.U.'s per cubic foot.
* For coverage added by Amendments dated Oct. 19, 1960, and Nov. 2, 1966 (Supplement Nos. 2 and 3), for which a certificate was issued at 16 cents. Rate for all other coverage is 17 cents subject to refund in Docket No. RI68-142.

APPENDIX A

Cabot Corp. (SW) (Cabot) proposes a periodic increase to 17.0 cents from its initial permanently certificated rate of 16.0 cents per Mcf covering additional acreage added to its FPC Gas Rate Schedule No. 48 by Supplement Nos. 2 and 3. Cabot requests a retroactive effective date of June 9, 1967, the date of issuance of the temporary certificate for the acreage involved. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit an earlier effective date for Cabot's rate filing and such request is denied.

Gulf Oil Corp. (Operator) et al., and Cabot's proposed increased rates and charges exceed the applicable area price levels for increased rates as set forth in the Commission's Statement of General Policy No. 61-1, as amended (18 CFR 2.56).

[F.R. Doc. 67-11785; Filed, Oct. 6, 1967; 8:45 a.m.]

OFFICE OF EMERGENCY PLANNING TEXAS

Notice of Major Disaster

Pursuant to the authority vested in me by the President under Executive Order 10427 of January 16, 1953, Executive Order 10737 of October 29, 1957, and Executive Order 11051 of September 27, 1962 (18 F.R. 407, 22 F.R. 8799, 27 F.R. 9683); Reorganization Plan No. 1 of 1958, Public Law 85-763, and Public Law 87-296; by virtue of the Act of September 30, 1950, entitled "An Act to authorize Federal assistance to States and local governments in major disasters, and for other purposes" (42 U.S.C. 1855-1855g), as amended; notice is hereby given of a declaration of "major disaster" by the President in his letter dated September 28, 1967, reading in part as follows:

I have determined that the damage in various areas of the State of Texas adversely affected by Hurricane Beulah is of sufficient severity and magnitude to warrant a major disaster declaration under Public Law 81-875.

I do hereby determine the following areas in the State of Texas to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of September 28, 1967:

THE COUNTIES OF

Aransas.
Atascosa.
Bee.
Brooks.
Cameron.
De Witt.
Duval.
Goliad.
Gonzales.
Hidalgo.
Jackson.
Jim Hogg.

Jim Wells.
Karnes.
Kleberg.
Lavaca.
Live Oak.
McMullen.
Nueces.
Refugio.
San Patricio.
Starr.
Victoria.
Willacy.

Dated: October 2, 1967.

FARRIS BRYANT,
Director.

[F.R. Doc. 67-11842; Filed, Oct. 6, 1967; 8:45 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[812-2173]

EATON & HOWARD STOCK FUND

Notice of Filing of Application for Order Exempting Proposed Trans- action

OCTOBER 3, 1967.

Notice is hereby given that Eaton & Howard Stock Fund ("applicant"), 24 Federal Street, Boston, Mass. 02110, a Massachusetts Trust registered under

the Investment Company Act of 1940 ("Act") as an open-end diversified management investment company, has filed an application pursuant to sections 17(b) and 6(c) of the Act for an order exempting from the provisions of 17(a) and 22(d) of the Act a transaction in which applicant's redeemable securities will be issued at a price other than the current public offering price described in the prospectus in exchange for substantially all of the assets of Westford, Inc. ("Westford"). All interested persons are referred to the application on file with the Commission for a statement of applicant's representations which are summarized below.

Westford, a Delaware corporation, is a personal holding company all of whose outstanding stock is owned by one individual and five trusts. Westford is not making and does not propose to make a public offering of its stock and is exempt from registration under the Act by reason of the provisions of section 3(c) (1) thereof. Pursuant to an agreement between applicant and Westford substantially all of the cash and securities owned by Westford, with a market value of approximately \$3,981,708 as of June 30, 1967, will be transferred to applicant in exchange for shares of its capital stock.

The number of shares of applicant to be issued to Westford is to be determined by dividing the aggregate market value (subject to certain adjustments set forth in the agreement and plan of reorganization) of the assets of Westford to be transferred to applicant by the net asset value per share of applicant as defined in the agreement. If the valuation under the agreement had taken place on June 30, 1967, Westford would have received 229,084 shares of applicant's stock.

When received by Westford, the shares of applicant are to be distributed to the Westford shareholders on the liquidation of Westford. Applicant has

been advised by the management of Westford that the stockholders of Westford do not have any present intention of redeeming or otherwise transferring the shares of applicant to be received on such liquidation following the proposed transaction. Applicant does not presently intend to dispose of any securities to be acquired from Westford.

The only affiliation which exists between applicant and Westford is that Laurence M. Lombard, a trustee of applicant, is an officer and a director of Westford and a cotrustee of three trusts which own 50 percent of the shares of Westford.

Section 17(a) of the Act, as here pertinent, makes it unlawful for any affiliated person of a registered investment company (as defined in section 2(a)(3) of the Act), or any affiliated person of such a person, to sell to or to buy from such registered company any security or other property, unless the Commission upon application grants an exemption from such prohibitions pursuant to section 17(b) of the Act after finding that the terms of the proposed transaction are reasonable and fair and do not involve overreaching on the part of any person concerned and that the proposed transaction is consistent with the policy of the registered investment company and with the general purposes of the Act.

Section 22(d) of the Act provides that a registered open-end investment company may sell its shares only at the current public offering price as described in the prospectus. Section 6(c) permits the Commission, upon application, to exempt such a transaction if it finds that such an exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Applicant contends that the proposed offering of its stock will comply with the provisions of the Act, other than sections 17(a) and 22(d), and submits that the terms of the proposed acquisition by applicant of substantially all of the assets of Westford in exchange solely for shares of applicant are reasonable and fair and do not involve overreaching on the part of any person and that the proposed transaction is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than October 20, 1967 at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon applicant at the

address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered, will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL]

ORVAL L. DuBois,
Secretary.

[F.R. Doc. 67-11853; Filed, Oct. 6, 1967;
8:46 a.m.]

[812-2059]

PAUL REVERE CORP.

Notice of Filing of Application for Order Declaring That Company Is Not an Investment Company

OCTOBER 3, 1967.

Notice is hereby given that The Paul Revere Corp. ("Applicant"), 18 Chestnut Street, Worcester, Mass. 01608, a Massachusetts corporation, has filed an application pursuant to section 3(b)(2) of the Investment Company Act of 1940, 15 U.S.C. Section 80a-1 et seq., ("Act") for an order of the Commission declaring that it is primarily engaged in a business or businesses other than that of investing, reinvesting, owning, holding or trading in securities, either directly, through majority-owned subsidiaries, or through controlled companies conducting similar types of businesses. All interested persons are referred to the application on file with the Commission for a statement of the representations therein which are summarized below.

Applicant, organized on June 10, 1895, and incorporated as a stock insurance company on June 12, 1909, changed its name from The Massachusetts Protective Association, Inc., and became a general business corporation on January 1, 1967. Prior to January 1, 1967, Applicant engaged directly in the writing of accident and health insurance only on members of the Masonic Fraternity, and through its wholly owned subsidiary, The Paul Revere Life Insurance Co. ("Life Company"), it has written accident and health insurance and life insurance on members of the public since 1930. On January 1, 1967, all obligations under outstanding insurance contracts issued by Applicant were assumed by Life Company and thereafter Applicant was no longer a direct issuer of insurance contracts.

In February, 1967, Applicant acquired pursuant to tender offer 4 million shares

or approximately 28 percent of the outstanding common voting stock of Avco corp. ("Avco"). At the time of the tender, Applicant, through a subsidiary, owned 12,500 shares of Avco's common voting stock and the officers and directors of Applicant owned an aggregate of 498,036 shares of Avco's common voting stock. By agreement entered into on July 5, 1967, between Applicant and Avco, Avco agreed, subject to approval by its shareholders and provided other conditions are satisfied, to make an offer to all holders of Applicant's common voting stock to exchange each share of such stock for one share of a new class of convertible preferred voting stock of Avco and 1.8 shares of Avco's common voting stock. If holders of at least 80 percent of the common voting stock of Applicant tender their shares to Avco, the exchange will be consummated and Applicant will become an Avco subsidiary having as one of its two principal assets (the other being stock of Life Company) stock of Avco.

A summary of Applicant's assets as of June 30, 1967, on the basis of the values assigned by Applicant, is set forth in Table I below:

TABLE I

	Percent voting securities owned	Applicant's assets	
		Amount (000 omitted)	Per- cent
SECURITIES OF MAJORITY-OWNED SUBSIDIARIES			
Paul Revere Life Insurance Co.	100	235,200	
Paul Revere Variable Annuity Ins. Co.	100	2,800	
Ontario Loan & Debenture Co.	99	12,662	
Coastline Financial Corp. ¹	100	15,210	
Vernors, Inc.	63.8	225	
Total.....		260,093	62.3
SECURITIES OF COMPANIES LESS THAN MAJORITY-OWNED			
Avco Corp.	28.6	214,000	
Allied Inkeepers, Ltd.	20.8	1,400	
Bradley & Vrooman Co.	47.5	520	
Continental Computer Associates, Inc.	40.2	420	
Credit Alliance Corp.	30.9	337	
North America Incinerator Corp.	38	250	
Peoples National Fund "A" Inc.	28.2	1,128	
Rosenthal, Inc.	9.5	425	
Paradox Production		302	
All-State Credit Corp.		0	
APL Corp.		350	
Total.....		219,132	43.0
OTHER ASSETS			
Receivables.....		100	
Thompson Wire Division.....		23,788	
Total.....		23,888	4.7
Total Assets less cash and U.S. Governments.....		508,073	100.0
Cash.....		1,660	
U.S. Governments.....		439	

¹ The value of Coastline Financial Corp. includes \$10 million of Coastline Mortgage, 5½ percent Demand Notes valued at \$10 million and 4,600 shares of preferred stocks of Phelan Finance Corp. valued at \$40,000.

Investment securities represented by Applicant's holdings of less than majority-owned subsidiaries aggregate \$219,132,000, or approximately 43 percent of its total assets exclusive of cash and U.S. Governments. Consequently, Applicant may be deemed an investment company, as defined in section 3(a)(3) of the Act. However, Applicant claims that it is entitled to a finding that it is not an investment company because of the following circumstances.

Applicant states that it is primarily engaged in the insurance business. Life Company ranked among the top five companies as of December 31, 1966, in the noncancellable accident and health insurance field and also has substantial group and life insurance in force. It was 50th in terms of assets and was among the top 5 percent in size of all U.S. life insurance companies as of December 31, 1966. Applicant also has operated in the insurance field through its wholly owned subsidiary, The Paul Revere Variable Annuity Insurance Co., since 1965. As of June 30, 1967, Life Company was deemed by Applicant to have a fair market value of \$235,200,000 and The Paul Revere Variable Annuity Insurance Co., \$2,800,000, or a total of \$238 million of a total value of all noninvestment securities of \$266,003,000. Applicant's income from insurance, it is represented, has been and will be its principal source of income, and total dividends from Avco for 1 year on the present basis of \$1.20 per share will be, in Applicant's judgment, less than one-half of its income from Life Company. Applicant's analysis of its net income after taxes shows that historically more than 50 percent of its income has been derived from life and health insurance business engaged in either directly by Applicant or through Life Company, and that at all times during the past 5½ years the income from its direct operations and its wholly owned and majority-owned subsidiaries has comprised more than 60 percent of its total after-tax income.

In the event the exchange offer to be made by Avco to Applicant's shareholders is consummated, Applicant's principal "investment security" will be shares of Avco, the company that would then own at least 80 percent of Applicant's voting common stock.

Notice is hereby given that any interested person may, not later than October 20, 1967, at 5:30 p.m., submit to the Commission in writing a request for a hearing on this matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney

at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in such application, unless an order for hearing shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered, will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 67-11854; Filed, Oct. 6, 1967;
8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 466]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

OCTOBER 4, 1967.

The following are notices of filing of applications for temporary authority under section 210(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC 67 (49 CFR Part 340) published in the *FEDERAL REGISTER*, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the *FEDERAL REGISTER* publication, within 15 calendar days after the date of notice of the filing of the application is published in the *FEDERAL REGISTER*. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protest must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 3009 (Sub-No. 80 TA), filed September 27, 1967. Applicant: WEST BROTHERS, INC., Post Office Box 1569, 706 East Pine Street, Hattiesburg, Miss. 39401. Applicant's representative: W. N. Innis (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods, as defined by the Commission, commodities in bulk, and those requiring

special equipment), serving Royal City, Ala. (the plantsite and warehouse of U.S. Rubber Co., near Opelika, Ala.), as an off-route point in connection with applicant's present interstate authority, for 180 days. Supporting shipper: Uniroyal, Inc., Spencer Street, Naugatuck, Conn. 06770. Send protests to: Floyd A. Johnson, District Supervisor, Interstate Commerce Commission, 312-A U.S. Post Office Building, Jackson, Miss. 39201.

No. MC 23976 (Sub-No. 24 TA), filed September 27, 1967. Applicant: BEND-PORTLAND TRUCK SERVICE, INC., 5940 North Basin Avenue, Portland, Ore. 97217. Applicant's representative: Owen M. Panner, 1026 Bond Street, Bend, Ore. 97701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, as defined in appendix V in Descriptions in Motor Carrier Certificates, 61 M.C.C. pp. 276-279, and *commodities* which, by reason of size or weight, require special equipment or special handling, between points in Oregon, on the one hand, and points in Modoc and Siskiyou Counties, Calif., on the other hand, for 180 days. Supporting shippers: Floyd A. Boyd Co., Route 2, Box 522-o, Klamath Falls, Ore. 97601; Heaton Steel & Supply, Inc., 428 Spring Street, Klamath Falls, Ore. 97601; George P. Andrieu, 732 North 11th Street, Klamath Falls, Ore. 97601; Tulana Farms, Worden, Ore.; Klamath Irrigation District, Crystal Springs Road, Route 2, Box 542, Klamath Falls, Ore. 97601. Send protests to: S. F. Martin, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 450 Multnomah Street, 120 Southwest Fourth Street, Portland, Ore.

No. MC 31600 (Sub-No. 620 TA) (Correction), filed September 14, 1967, published in *FEDERAL REGISTER* issue of September 19, 1967, and republished as corrected, this issue. Applicant: P. B. MURPHY MOTOR TRANSPORTATION, INC., Calvary Street, Waltham, Mass. 02154. Applicant's representative: Harry C. Ames, Jr., 529 Transportation Building, Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Liquid paint*, in bulk, in tank vehicles, from Elizabeth, N.J., to Roxboro, N.C., (2) *edible flour*, in bulk, in hopper-type vehicles, from Jamaica, N.Y., to Portsmouth, N.H., (3) *dry chemicals*, in bulk, in hopper-type vehicles, from Long Island City, N.Y., to Pittsburgh, Pa., (4) *aviation gasoline*, in bulk, moving on Government bills of lading, from Newington, N.H., to Plattsburgh AFB, N.Y., for 180 days. NOTE: The purpose of this republication is to change the destination from Portsmouth, N.C., to Portsmouth, N.H., in (2) above; and show correct address of applicants representative. Supporting shippers: (1) Interchemical Corp., 67 West 44th Street, New York, N.Y. 10036; (2) Modern Maid Food Products, Inc., 110-60 Dumkirk Street, Jamaica, N.Y. 11412; (3) Stein, Hall & Co., Inc., 605 Third Avenue, New York, N.Y. 10016; (4) Leonard Hynes,

Military Traffic Management and Terminal Services, Washington, D.C. Send protests to: James F. Martin, Jr., Assistant Regional Director, John F. Kennedy Building, Government Center, Boston, Mass. 02203.

No. MC 66746 (Sub-No. 8 TA), filed September 27, 1967. Applicant: JOHN L. KERR AND G. O. KERR, JR., a partnership, doing business as SHIPPERS EXPRESS, Post Office Box 8665, Jackson, Miss. 39205. Applicant's representative: Harold D. Miller, Jr., Post Office Box 22567, Jackson, Miss. 39205. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading): (1) Between Memphis, Tenn., and Natchez, Miss., from Memphis over U.S. Highway 61, and return over the same route, serving all intermediate points including Vicksburg and Natchez. (2) Between New Orleans, La., and Vicksburg, Miss., from New Orleans, over U.S. Highway 61 and return over the same route, serving all intermediate points including Natchez and Vicksburg. Restriction: Restricted against the joinder of the two routes sought herein, and restricted against the joinder of either route sought here-

in with applicant's existing authority, for 180 days. Supporting shipper: There are approximately (14) statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: Floyd A. Johnson, District Supervisor, Interstate Commerce Commission, 312-A U.S. Post Office Building, Jackson, Miss. 39201.

No. MC 115311 (Sub-No. 71 TA), filed September 27, 1967. Applicant: J&M TRANSPORTATION CO., INC., Post Office Box 488, Milledgeville, Ga. 31061. Applicant's representative: Bill R. Davis, Suite 1600, First Federal Building, Atlanta, Ga. 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement and mortar mixes* (including cement and mortar mixed with gravel, sand, or other aggregates), *rock and stone* (crushed, ground, or natural), *sand, cold mixed asphalt, liquid asphalt sealer, vinyl concrete patcher, lime, masonry coating, tile grout, hydraulic cement, acrylic paints, adhesives, and advertising matter*, from: The plantsite of W. R. Bonsal Co., Inc., at or near Atlanta, Ga., to: Points in Kentucky, Mississippi, Louisiana, South Carolina, and Florida, and from Lilesville, N.C., to points in Tennessee, West Virginia, Maryland, Kentucky, Washington, D.C., and Georgia (except Savannah, Ga.), for 180 days. Supporting

shipper: W. R. Bonsal Co., Post Office Box 38, Lilesville, N.C. Send protests to: William L. Scroggs, Interstate Commerce Commission, Bureau of Operations, Room 309, 1252 West Peachtree Street NW., Atlanta, Ga. 30309.

No. MC 129418 TA, filed September 27, 1967. Applicant: M & V EXPRESS, INC., 827 North Madison, Tulsa, Okla. 74106. Applicant's representative: William D. Shea (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, between Tulsa, Okla., and the Kansas-Oklahoma border, serving the intermediate points of Vinita, Afton, Miami, Commerce, Cardin, Pitcher, and Quapaw, Okla., over U.S. Highways 66 and 69; also Interstate Highway I-44 as an alternate route only, for 180 days. Supporting shipper: Miami, Chamber of Commerce, Miami, Okla.; Vinita Flag & Apron Co., Vinita, Okla.; C & L Supply, Inc., Vinita, Okla.; Vinita Chamber of Commerce, Vinita, Okla. Send protests to: C. L. Phillips, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 350, American General Building, 210 Northwest Sixth, Oklahoma City, Okla. 73102.

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 67-11858; Filed, Oct. 6, 1967; 8:47 a.m.]

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